

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT
FOR THE PEPPERDINE UNIVERSITY CAMPUS LIFE PROJECT**

COUNTY PROJECT NO. R2007-03064-(3)
CONDITIONAL USE PERMIT NO. 200700203
PARKING PERMIT NO. 200700014
ENVIRONMENTAL REVIEW NO. RENV200700169
STATE CLEARINGHOUSE NO. 2008041123

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR PEPPERDINE PROPOSED CAMPUS LIFE PROJECT

I. INTRODUCTION

Pepperdine University (“the “University” or the “Applicant”) proposes to undertake a comprehensive development project, which would provide new and upgraded athletic, recreation, parking, and residential facilities at its Malibu campus (the “Campus”). This Campus Life Project (the “CLP” or the “Project”) would include both the construction of new facilities and the renovation of existing structures. The Campus is located at 24255 Pacific Coast Highway (PCH), on 830 acres within an unincorporated area of Los Angeles County.

The Project has been planned within the densities of existing approved long-term plans for the campus. The Project components are designed to enhance the existing campus environment and improve the campus life experience for students. The Project consists of a proposal to develop and re-develop property within an existing approximately 365-acre campus development area within the 830-acre property in a 12-year, two-phase development program. Six components of proposed development include approximately 456,940 square feet (“sq. ft.”) of new development less approximately 62,803 sq. ft. of demolition for a total of approximately 394,137 sq. ft. of net new development comprised of the following:

- (1) Student Housing Rehabilitation (150,692 net new sq. ft.) (or “Component 1”)
- (2) Athletics and Events Center (maximum 5,470-seat, 235,845 net new sq. ft.) (the “AEC” or “Component 2”)
- (3) Upgraded NCAA Soccer Field and Maintenance Facilities (1,500 net new sq. ft.) (or the “Upgraded NCAA Soccer Field” or “Component 3”);
- (4) Town Square and Welcome Center over Subterranean Parking (4,500 net new sq. ft.) or “Component 4”;
- (5) Enhanced Recreation Center Area (1,600 net new sq. ft.) (or “Component 5”);
- (6) School of Law Parking Structure (three levels). A total of 724 new parking spaces are proposed with the loss of 291 spaces for a net increase of 433 spaces of onsite proposed parking at the new structure at Project buildout (the “SOL Parking Structure” or “Component 6”)

A total of 2,013 new parking spaces are proposed for the Project with the loss of 1,217 spaces for a net increase of 796 spaces of onsite proposed parking and a total of 5,380 maximum spaces at Project buildout.

Various project elements of these components would include facilities such as locker rooms, meeting rooms, academic support facilities, offices, an outdoor plaza, a café, pedestrian friendly walkways, and outdoor congregation/sitting areas.

Grading proposed is comprised of approximately 127,935 cubic yards of cut and 235,700 cubic yards of fill for a deficit of 107,765 cubic yards of fill and total earth movement of 363,635 cubic yards. Additional soils may be obtained from the approved Graduate Campus Project site pad to offset any deficit in fill. Onsite grading is anticipated to be balanced on the property with the exception of approximately 70,000 cubic yards of residual cut grading comprised of bedrock, which may be required to be exported. New development area landscaping is proposed.

To implement the Project, the applicant has applied for: (1) a Conditional Use Permit No. 200700203 to authorize the construction, operation, and maintenance of 394,137 square feet of net new development and grading in excess of 100,000 cubic yards within approximately 365 acres of existing core campus area on an 830-acre site in the A-1-1-DP (Light Agricultural-One Acre Minimum Required Area-Development Program) zone; and (2) Parking Permit No. 200700014 to establish parking requirements for existing and proposed university facilities in the A-1-1-DP zone..

II. ENVIRONMENTAL DOCUMENTATION BACKGROUND

The Project proposal was reviewed by the County of Los Angeles Department of Regional Planning (“County”) (serving as Lead Agency) in accordance with the requirements of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code § 21000 *et seq.*; 14 Cal. Code Regs. § 15000 *et seq.*).

A. Initial Study and Notice of Preparation

An Initial Study was then prepared for the Project and, in compliance with CEQA Section 21080.4, a Notice of Preparation (“NOP”) was prepared by the County and was distributed to the State Clearinghouse, Office of Planning and Research, responsible agencies, and other interested parties. The NOP identified specific areas where the Project could have adverse environmental effects and determined that an Environmental Impact Report (“EIR”) would need to be prepared to document these effects. The NOP requesting comments to be considered in a Draft EIR was circulated from April 24, 2008 to May 25, 2008. Copies of the NOP were made available on the County’s website as well as at two local libraries. Comments on the NOP were due June 3, 2008. A Scoping Meeting was held to present the Project and solicit suggestions from the public at the Malibu Jewish Center & Synagogue located at 24855 Pacific Coast Highway on May 14, 2008. Comments received during this NOP circulation period were reviewed and considered and, where appropriate, incorporated to scope of the Draft EIR, which was prepared subsequent to the NOP’s public comment period.

B. Draft Environmental Impact Report

The Draft EIR evaluated in detail the potential effects of the Project, including potential effects in the following categories: Geology and Soils, Water Quality, Biological Resources, Air Quality, Noise, Cultural Resources, Visual Resources and Aesthetic Qualities, Traffic and Access, Public Services, Public Utilities, Land Use, and Global Climate Change impacts. The Draft EIR analyzed both the Project and cumulative effects of the Project on these topics and identified a variety of mitigation measures to minimize, reduce, avoid, or compensate for the potential adverse effects of the Project. It also analyzed the effects of a reasonable range of four

alternatives to the Project, including potential effects of one “No Project” alternative. The Draft EIR for the Project (State Clearinghouse No. 2008041123), incorporated herein by reference in full, was prepared pursuant to CEQA and State and Agency CEQA Guidelines (Public Resources Code §21000, *et seq.*; California Code of Regulations Title 14 §15000, *et seq.*).

On November 10, 2010, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research, and was circulated for a 60-day public review period, ending on January 10, 2011. Copies of the Draft EIR and documents referenced in the Draft EIR were made available electronically on the County’s website. Paper copies of the Draft EIR and referenced documents were also available at two local libraries and the Los Angeles County Department of Regional Planning. The public review period of the Draft EIR exceeded by 15 days the 45-day minimum review period required by CEQA Guidelines section 15087. A hearing for taking public testimony on the Draft EIR and the Project was held before a Los Angeles County Hearing Examiner on Thursday, December 2, 2010 on the University Campus at 24255 Pacific Coast Highway, Malibu, CA 90263. Copies of the original comments received during the 60-day public review period and several late comments received after that period are provided in the Final EIR. Pursuant to Section 15088 of the CEQA Guidelines, the County, as lead agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment, and several responses to late comments received, in Section 3.0 of the Final EIR.

C. Final Environmental Impact Report

The County prepared a Final EIR for the Project, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines section 15088(b). In addition, all individuals that submitted written comments on the Draft EIR and other known interested parties were provided notice of the posting of the Final EIR. The Final EIR was also made available for review on the County’s website. Hard copies of the Final EIR were also made available at two local libraries and the Los Angeles County Department of Regional Planning. Notices regarding availability of the Final EIR were sent to those within a 500-foot radius of the Project site as well.

The Los Angeles County Regional Planning Commission (the “Commission”) held a public hearing on May 4, 2011 to consider the Final EIR and its Mitigation Monitoring and Reporting Program as well as a Statement of Overriding Considerations and CEQA Findings for the Project. After receiving public testimony, the Commission found that: the Final EIR has been completed in compliance with CEQA; the Commission has reviewed and considered the information contained in the Final EIR and attached mitigation monitoring program; and the Final EIR reflects the County’s independent judgment and analysis. The Commission then certified the Final EIR, adopted a Statement of Overriding Considerations and approved a Mitigation Monitoring and Reporting Program with these findings. These findings represent the independent judgment and analysis of Los Angeles County.

The documents and other materials that constitute the record of proceedings on which the County's CEQA findings are based are located at the Los Angeles County Department of Regional Planning, Special Projects Section, Room 1362, 320 West Temple Street, Los Angeles, CA 90012. This information is provided in compliance with CEQA Section 21081.6(a)(2).

III. FINDINGS REQUIRED TO BE MADE BY LEAD AGENCY UNDER CEQA

Section 21081 of the California Public Resources Code and Section 15091 of the CEQA Guidelines require a public agency, prior to approving a Project, to identify significant impacts of the Project and make one or more of three possible findings for each of the significant impacts. The possible findings are:

- "Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(1))
- "Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." (State CEQA Guidelines, § 15091, subd. (a)(2))
- "Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR." (State CEQA Guidelines, § 15091, subd. (a)(3))

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings would nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each of the significant impacts associated with the Project, either before or after mitigation, the following sections are provided:

- a) Description of Significant Effects - A specific description of the environmental effects identified in the EIR, including a judgment regarding the significance of the impact.
- b) Mitigation Measures - Identified mitigation measures or actions that are required as part of the Project (numbering of the mitigation measures correspond to the Mitigation Monitoring and Reporting Program, which is included as Section IV of the Final EIR).
- c) Finding - One or more of three specific findings in direct response to CEQA Section 21081 and CEQA Guidelines section 15091.

- d) Facts Supporting and Rationale for Finding - A summary of the facts supporting and reasons for the finding(s).
- e) Reference - A notation on the specific section in the Draft and Final EIR which includes the evidence and discussion of the identified impact.

IV. DESCRIPTION OF PROJECT

The Campus is located at 24255 PCH, within an unincorporated area of Los Angeles County. Regionally, the Campus is located approximately twenty-five miles west of downtown Los Angeles. Locally, the Campus is located adjacent to the City of Malibu and is bordered by the Santa Monica Mountains on the north, east, and west. The Malibu Country Estates (“MCE”) residential subdivision and Malibu Canyon Road are located to the southwest and southeast of the campus, respectively. The Conservancy-owned Malibu Bluffs is located immediately to the south of the campus across PCH.

The Campus property totals approximately 830 acres with development concentrated within the 365-acre core campus area located in the southern portion of the property near PCH. The Project (or “CLP”) proposes to infill the core campus area.

As explained directly below, the CLP is made up of six components including new infill and replacement facilities as well as the renovation of existing facilities. The proposed improvements involve athletic and residential facilities, parking structures, and other facilities situated within the already-developed campus core. The CLP has been planned within the densities of existing long-term plans for the campus. The CLP components are designed to enhance the existing campus environment and improve the campus life experience for students. The CLP meets existing needs for the current campus population and does not propose to increase enrollment.

Various project elements of these components would include facilities such as locker rooms, meeting rooms, academic support facilities, offices, an outdoor plaza, a café, pedestrian friendly walkways, and outdoor congregation/sitting areas. A summary of each of the proposed components is provided below.

A. Component 1: Student Housing Rehabilitation

The Student Housing Rehabilitation aims to restore, enhance, improve and/or replace the University’s aging residence halls thereby providing additional, improved opportunities for prospective student residents. Most of these halls are thirty-eight years old with all of the associated aesthetic, electrical, plumbing, and technological deficiencies expected in aged buildings. The Student Housing Rehabilitation also proposes to meet the University’s strategic goal to house seventy-five percent of the Seaver College student body on the Malibu Campus. Increased on-campus housing provides mentorship opportunities and enhanced peer interactions while also allowing the University to better control student housing costs and reduce daily trips to the campus. Providing additional beds would also help meet the significant unmet demand for on-campus housing, as there are more students who want to live on campus than residences available for them. The Student Housing Rehabilitation is comprised of two separate housing

areas (i.e., Standard Precinct and Outer Precinct), and features styles aimed at different student demographics (i.e., freshman and non-freshman undergraduates).

The Standard Precinct provides a net increase of 300 beds; the Outer Precinct provides a net increase of 168 beds. The Standard Precinct provides an additional 109,585 square feet (“sf”); the Outer Precinct provides a net increase of 41,107 sf of development. In addition to living areas, Component 1 provides additional support amenities such as café dining, open green space, common gathering spaces, multi-purpose classroom space, recreation lounges, game rooms, outdoor barbeque grills, a student convenience store, open seating space, and a quad area.

B. Component Area 2: Athletics/Events Center

The CLP proposes a multi-purpose athletics and events facility that would satisfy the University's need for a NCAA Division I regulation volleyball and basketball competition venue with ancillary event amenities and additional practice facilities for both sports.¹ The facility would also provide a unified location for the Athletics department offices that are currently spread across campus. It would be located at the site of the University's existing Rho Parking lot.

This component of the CLP would in effect replace many of the current functions supplied by the existing Firestone Fieldhouse. The University currently has both men's and women's NCAA Division I basketball and volleyball teams. Home games, practices, intramurals, and student “pick-up” games are all presently held on one performance court at the Firestone Fieldhouse. The Fieldhouse does not adequately meet the needs of the student body or the University's athletics department – it is outdated and undersized compared to other venues athletic venues in the West Coast Conference (WCC) (Pepperdine University is a member of the WCC). In fact, it is the smallest venue in the WCC.² In addition to limitations on spectator seating, the Fieldhouse also places logistical challenges on the University as it tries to run a NCAA Division 1 sports program. For example, during intercollegiate competition, both the home and visiting teams must share locker room space, often resulting in the visiting team utilizing a nearby classroom for changing during games. During athletic performances the Fieldhouse has a seating capacity of 3,104, a number that may be temporarily augmented by the placement of approximately 470 folding chairs on the floor.

The AEC would also provide additional infrastructure to support a Division I Athletics Program. The new facility would include locker rooms for both visiting and home teams, meeting rooms for teams to prepare and strategize for upcoming games as well as improved strength and conditioning space for all student-athletes. Space is also allocated to equipment storage, media coverage, concession services, and fundraising events.

The AEC would include 5,000 permanent seats. During special events, approximately 470 additional folding chairs may be temporarily placed on the event floor raising the temporary

¹ Based on the expertise and experience of the University's Athletics Department regarding historical host area sizes for NCAA regional round of competition minimum venue size.

² Pepperdine University has the smallest athletics venue in the WCC at a capacity of 3,104. St. Mary's University is the only other WCC school with a capacity below 4,000 seats. Brigham Young University, which recently joined the WCC, has the largest venue, with a capacity of 22,700 seats.

seating capacity to 5,470. This component also proposes a parking structure providing 831 spaces, a net increase of 265 spaces over the existing Rho Parking lot.

The University proposes to construct a chilled water central plant facility to satisfy the space cooling needs of the Project buildings. The central plant will utilize indoor electric chillers and pumps, as well as outdoor cooling towers, located inside and adjacent to the proposed parking structure at the AEC. A separate underground, chilled water storage tank is proposed to be located beneath the proposed Enhanced Recreation Area (Component 5), as described below.

C. Component Area 3: Upgraded NCAA Soccer Field

The proposed Upgraded NCAA Soccer Field site is located on the existing Tari Frahm Rokus Field and Stotsenberg Track. The existing track and field is situated on a leveled tier between the Seaver Residence Halls, Outer Precinct and Upsilon Parking Lot (to the north) and the Eddy D. Field Baseball Stadium (to the south). Currently, the existing soccer field provides temporary mobile seating for up to 1,000 spectators. The Upgraded NCAA Soccer Field component of the CLP in conjunction with the enhanced Recreation Area, (Component 5), would meet unmet University needs for recreation space. The University supports a very successful women's soccer program that is limited by overcrowding from other activities that have a high demand for use of the field. The field is inadequate for NCAA tournament play because of insufficient lighting and size. The Upgraded NCAA Soccer Field would meet the present and future institutional needs of the University's soccer program. The playing field would measure 240 ft. by 360 ft., which is sufficient to meet NCAA competition recommendations for preferred size, and provide an additional 20-foot "runoff area" surrounding the field. To accommodate the widening of the field and improve the connection between the bleacher seating and the adjacent student housing area, Component 3 includes construction of a retaining wall halfway up the existing slope between the level of the proposed track and soccer field and the existing baseball field to the south. The elevation of the upgraded soccer field would be approximately ten feet higher than the level of the existing track and soccer field. The field would have a natural grass playing surface and be equipped with a maintained illuminance level of 100 footcandles for nighttime competitive use during televised games. The lighting level would be reduced to a maintained illuminance level of 50 footcandles for non-televised games and practice use. The proposed lighting will consist of 192 fixtures distributed over 8 poles a maximum of 110 feet above the playing surface (additional information can be found in Section 5.7.2). The component also provides 1,000 permanent spectator seats on the northern side of the field replacing 1,000 existing temporary seats and 1,500 sf of storage space, which includes restrooms for athletic use. The adjacent Athletics/Events Center will provide locker room space for home teams, officials, and visiting teams, while the adjacent café/convenience store associated with the proposed Outer Precinct would provide concessions.

D. Component Area 4: Town Square

The proposed Town Square site is located on what is now the Seaver Main Parking Lot, a large surface parking lot which projects westerly from Seaver Drive to occupy a core area between the Thornton Administrative Center and Huntsinger Academic Center (on the east) and the Center for the Arts (on the west). The current parking lot on this site contains 166 spaces.

The Town Square proposes to provide the University a quad area centrally located in the center of campus, including additional parking spaces. This aspect of the CLP would consist of

two levels of underground parking, providing 203 net new spaces, with a landscaped quad on the third, or top, level. The quad would satisfy the campus' need for a central community interaction area incorporating natural landscaping and green grass. This aesthetic enhancement is critical as this location acts as the "gateway" to the Seaver College campus. The central quad area would also allow the campus community to hold classes outside and provide an area for informal student recreation and dispersed seating arrangements for student congregation. A street-level Welcome Center, located adjacent to Seaver Drive, would further enhance the notion of the Seaver College gateway by welcoming guests and providing information on the University. The facility would also contain necessary support systems including storage space and restrooms.

E. Component Area 5: Enhanced Recreation Area

The proposed Enhanced Recreation Area site is located north of Huntsinger Circle in an area currently consisting of an intramural field, the Terrace Parking Lot, naturally vegetated areas, an earthen debris stockpile, and a debris basin and debris basin maintenance structure. As discussed under Component 3, there is a lack of adequate fields to accommodate the demand of athletic, intramural, and recreational use. The existing recreation field is of insufficient size for current recreational needs, (e.g., intramural rugby and lacrosse), or to allow for more than one game at a time. Nevertheless, intramural and club sports are well represented on campus. Currently there are 1,200 students participating in seven intramural sports including flag football, tennis, volleyball, dodge ball, basketball, soccer and ultimate Frisbee. Club sports consist of extramural activities that are played against other colleges, and include lacrosse, rugby, soccer and ultimate Frisbee.

The CLP proposes an improved and expanded grass recreation area on the site of the existing intramural field. The field would provide sufficient space to accommodate a playing field consistent with the size requirements for student recreation needs and intramural sports. In order to accommodate intramural use, the project proposes to replace existing inefficient lighting fixtures with modern, more efficient fixtures. The proposed lighting will consist of 24 fixtures distributed over 6 poles a maximum of 80 feet above the playing surface. The component also provides a 1,600 square foot structure containing storage space and restrooms.

A new debris basin located just north of the proposed Enhanced Recreation Area would replace the current debris basin structure, located just east of the existing intramural field. A stockpile composed of uncompacted fill material is currently located north of Huntsinger circle to the east of the existing Marie Canyon debris basin structures. The stockpile area would be reduced in size and have a space capacity of approximately 8,000 cubic yards ("cy") of fill.

An underground, chilled water storage tank is proposed to be buried within the earth fill required to create the Enhanced Recreation Area. The tank capacity would be approximately 2 million gallons, providing sufficient storage to allow chillers and cooling towers located inside or adjacent to the proposed parking structure at the AEC to operate during off-peak hours, substantially reducing energy consumption during the highest demand period of the day.

F. Component Area 6: School of Law Parking

The proposed site location for the School of Law Parking Structure is currently occupied by the School of Law Student Lot. This existing surface parking lot provides campus parking for students, faculty, and staff. The School of Law Student Lot is located at the southeast corner of Baxter Drive and Seaver Drive and provides 291 parking spaces. The CLP proposes to replace the existing surface School of Law Student Parking Lot with a three-level parking structure, which would provide 724 parking spaces. Completion of the structure would result in a net increase of 433 parking spaces.

G. Project Phasing

Buildout of the CLP would occur in two phases over approximately twelve years (depending on funding availability and emerging University needs). Phase I would commence upon the issuance of building permits by Los Angeles County Department of Building and Safety and is scheduled to last six years. This phase would include the School of Law Parking Structure, the Outer Precinct portion of the Student Housing Rehabilitation, the debris basin and stockpile portion of the Enhanced Recreation Area, and the AEC. Phase II would include the Upgraded NCAA Soccer Field, the Standard Precinct portion of the Student Housing Rehabilitation, the Town Center, and the Enhanced Recreation Area.

V. PROJECT OBJECTIVES

CEQA Guidelines section 15124(b) required a statement of the objectives sought by the Project. In general, an objective can be defined as something that is worked toward or strived for, or as some type of goal integral to the Project. A clear statement of the Project objectives is important in that it aids the Lead Agency in formulating a reasonable range of alternatives to the Project that also can achieve, at least in part, the objectives of the Project.

The Project aims to improve The University's facilities to accommodate the evolving needs of the University's academic, administrative, and student-support programs, to enhance the educational experience for students, and to improve facilities and programs for students, faculty, and staff, all within the existing enrollment limits currently in place. Specifically, the following list provides a synopsis of the objectives and goals of the Project:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities,

thereby attracting increased financial support, endowments, capital, and operating funds.

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference ("WCC") schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to alleviate the overcrowded conditions at the existing recreational fields to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Provide needed outdoor recreational fields within areas of the existing developed campus.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.

- Foster support of sustainability concepts through student educational programs and continued efforts to improve resource conservation to minimize the University's impact on the land through improvements in the design of campus facilities and the use of the campus' developed space.
- Minimize potential off-site impacts by balancing appropriate soils on-site within existing developed areas to the extent feasible.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT IN THE INITIAL STUDY

The County of Los Angeles Department of Regional Planning prepared and circulated for public review an Initial Study dated April 21, 2008 for the Project, which determined that the Project would not have the potential to cause significant impacts and thus did not warrant further study of these specific subject areas in the Draft EIR. Because the Project's impacts on these areas will be less than significant or will have no impact, no mitigation measures are necessary. These Findings below summarize the specific subject areas and the rationale to not study them further in the Draft EIR.

A. Mineral Resources

The Initial Study determined that the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of California because no mineral resources have been identified on the Campus and none of economic value are likely to occur. Further, the Initial Study found that the Project would not result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan, or other land use plan because not such designations appear on either the Los Angeles County General Plan or Local Coastal Plan Maps on the Campus.

B. Agricultural Resources

The California State Department of Conservation maps showing *State Farmlands of Importance* indicate that there are no farmlands of importance on the Campus. Also, the Project does not conflict with underlying zoning, and would not impact any lands under a Williamson Act Contract. Therefore, the Initial Study determined that agricultural resources issues did not warrant further study in the Draft EIR.

C. General Factors

The Initial Study found that the Project would not result in an efficient use of energy resources because construction of the Project would be subject to applicable Los Angeles County and State of California Building Codes that mandate adherence to Title 24 energy conservation requirements and adherence to those requirements would assure that the Project would not result in the inefficient use of energy. Also, the Initial Study concluded that the Project would not result in a major change in the patterns, scale, or character of the general area or community, finding that the Project's components were located within the interior of the developed campus remote and out of view from the well-traveled, campus-adjacent roads and highways (i.e., PCH and Malibu Canyon Road). In terms of Project component design, the Initial Study concluded that the

architectural style (including the use of building materials), size, and density would resemble the existing pattern, scale, and character of the area.

D. Environmental Safety/Hazards and Hazardous Materials

The Initial Study found certain environmental safety issues indicated below did not warrant further study for the following reasons:

- There are no known cases of soil toxicity at the Project component sites or groundwater contamination in the Marie Canyon watershed.
- The existing Facility Maintenance Plan operations, which store gas and diesel fuels, would be relocated to the proposed Multi-Purpose Recreation and Parking Structure component of the Project Implementation of the Project would also involve the use of common hazardous materials paint thinners, solvents, etc. during on-site maintenance and cleaning. Once relocated, however, the storage of the common hazardous materials identified above is not anticipated to be substantially greater than in the existing condition, and the materials would continue to be stored, handled, and used in accordance with all applicable Federal, State, and local regulations and statutes.
- The Project is not located on a site that is listed as containing hazardous materials (as per Government Code Section 65962.5), and as such does not pose a significant hazard to the public or to the environment.
- While the Los Angeles County Fire Department maintains emergency helicopter landing pads on the University's Malibu campus for use during fire emergencies in the mountains within the Project's vicinity, the Project site is not located within an airport land use plan area, nor is it located within two miles of a public use airport or private landing strip.
- The Project would not physically interfere with, nor impair the implementation of, an adopted emergency response or emergency evacuation plan. Moreover, the University serves a key role in the establishment and execution of emergency plans when necessary, which benefits the surrounding community.

E. Population/Housing / Employment

The Project would not increase regional population Projections, as students and new employees currently residing in the southern California region are expected to relocate within the region. The Project would provide on-campus housing and would not increase demand for off-campus housing that would displace substantial numbers of people. Further analysis of this topic is not warranted. *See NOP* for further detail why additional analysis is not warranted.

F. Education/Recreation

See NOP for further detail why additional analysis is not warranted.

G. Public Utilities: Electricity/Gas

See NOP for further detail why additional analysis is not warranted.

VII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

The County of Los Angeles Department of Regional Planning prepared an Initial Study for the Project that indicated issues that should be addressed further in an EIR. Based on the Initial Study, the EIR analyzed impacts in the following areas:

The following impact areas were concluded by the EIR to be less than significant prior to mitigation.

A. Geology and Soils

1. Unique Geologic Features

Components 1 (Student Housing Rehabilitation--Outer Precinct), 3 (Upgraded NCAA Soccer Field), 5 (Enhanced Recreation Area), and 6 (School of Law Parking Structure) propose grading that would alter existing topographic (ground) elevations. None of the above component areas is currently in a natural condition. Each area has been modified significantly by past grading, by the import of artificial fill, or by building placement, therefore there are no unique existing geologic or topographic features are present on these component sites that could be affected.

2. Grading (Landform Alteration)

Component 1 (Outer Precinct) would fill a south-sloping flat to gently sloping parking lot surface to create a leveled flat surface for new/replacement student residential housing. Component 3 would raise the existing track/field elevation approximately ten feet in elevation creating another, higher, flat surface. Component 5 has the most grading, which would be undertaken in an area that is already largely disturbed. The main effect would filling an additional portion of Marie Canyon east of the existing intramural soccer field and in the existing debris basin, thereby reshaping a portion of the base of the east- and west-facing slopes. The modified stockpile area north of Huntsinger Circle would be smaller within an area of already elevated topography. Component 6 would cut and fill a south-sloping flat to gently sloping parking lot surface to create a leveled surface for the new parking structure. The above actions are not considered to be significant topographic modifications as they are being made to already modified topography, therefore these impacts are considered less than significant. Components 1 (Student Housing Rehabilitation), 2 (AEC), and 4 (Seaver Town Square) do not propose grading that would alter existing topographic (ground) elevations.

3. Ground Lurching and Cracking

The developed site would expose primarily artificial fill, possibly some bedrock, and stabilized landslide deposits. Topsoil, colluvium, loose bedrock, and other debris cover slopes west of the Enhanced Recreation Area. These surficial earth materials may have areas of loose, cohesion-less soils or may also contain clay-rich deposits that could have high moisture contents, particularly after heavy rainy seasons. While ground lurching due to seismic shaking is

considered to pose a potential adverse impact at the site, the surficial cracking of fill materials and surrounding surficial deposits is considered less than significant.

4. **Flooding Attributable to Tsunami, and Seiche**

Damage from tsunamis is confined to near-shore, low-lying areas. The proposed development is located inland, and at a minimum of 320 feet above sea level and is not at risk of inundation from a tsunami. This is a less than significant impact.

Small, localized flooding may occur immediately adjacent to, and downstream of small water reservoirs or dams. A 1.6 million gallon potable water tank and a 100,000 gallon reclaimed water tank are located within the University's Graduate Campus Project ("GCP") area approximately 2,000 feet west of the CLP area at higher elevations. Water from the 3 million-gallon water tank northeast of the CLP would flow to the east away from the CLP. The modified debris basin north of Component 5 (Enhanced Recreation Area) is proposed to detain storm water, sediment, and debris. Therefore, the risk of inundation from a seiche-induced water tank failure is a less than significant impact due to the distance and the infrastructure between the two areas.

5. **Geotechnical Impacts (Expansion and Soil Shrinkage)**

Native onsite soils are identified to possess soil expansion potential ranging from very low to moderate, due to the presence of clayey fill soils, clay-rich bedrock, and landslide debris. These materials would be detrimental to structures built directly atop them due to distress from periodic wetting and drying. The proposed removal and/or over excavation of materials with elevated soil expansion index, replacement with compacted fill materials and appropriately designed footings and slabs, in accordance with the Los Angeles County Building Code, would reduce the potential for substantial differential expansion and provide uniform bearing surfaces. Because the building sites are all on compacted fill, low expansivity materials can be used beneath the foundations. The potential impacts due to expansive soils are considered to be less than significant using these normal geotechnical engineering practices.

Excavated materials are expected to shrink when placed as compacted fill. Shrinkage is expected to be approximately three percent under conditions of relative compaction to 90 percent and up to 6 percent under relative compaction of 93 percent. There is no significant impact associated with shrinkage since there is a sufficient volume of onsite materials to accommodate shrinkage factors.

B. Water Quality

1. **Hydrology and Site Drainage**

a. On-Site Existing Drainage Facilities

Existing on-site drainage facilities include the debris basin in Marie Canyon, street curbs and gutters, paved street sections and street catch basins, and a storm drain system. Updated and revised hydrology models incorporating project-specific data indicate that the redesigned flow rate from the Project renders a value of 1,190 cubic feet per second ("cfs") (*see* Draft EIR Table

5.2-1), approximately 62.3 cfs less than the design values previously utilized. Based on this value and the review of previous drainage studies, the on-site facilities have been adequately designed based on the County of Los Angeles requirements. The revised analysis indicates that as a result of the project there would be a net impact from the Project of 60.42 cfs (*see* Draft EIR Table 5.2-3), a flow rate that is equivalent to prior design flow rates. Therefore, the existing storm drain system and facilities would not require improvements, upgrades, or replacement. As such, the impact to the existing on-site drainage facilities is deemed to be less than significant.

b. Proposed Drainage Facilities

As part of the CLP, individual drainage systems including area drains, catch basins, grass swales, bio-filtration planters, roof downspouts, and roadways with curbs and gutters will be constructed to handle the estimated runoff from each CLP component site which will each be conveyed to the existing storm drain facilities. Each component site will treat its contributing storm runoff via bio-swales, bio-filtration planters, or catch basin filter inserts prior to any proposed connections to the existing storm drain system. The preliminary drainage and treatment scheme are provided in Draft EIR Appendix C.

The final grading and drainage design shall incorporate a drainage and treatment layout which meet the calculated criteria outlined in the Standard Urban Stormwater Mitigation Plan (“SUSMP”) in Draft EIR Appendix C. Prior to the issuance of a grading permit for any of the CLP components, final calculations shall be provided to the County for review and approval to verify these findings. Thus, the impact to drainage facilities is deemed to be less than significant.

c. Marie Canyon Debris Basin

The existing Marie Canyon debris basin receives runoff from approximately 165 acres of natural land. During a capital storm (a once in 50-year event), the facility is estimated to prevent approximately 8,780 cubic yards of debris from entering the existing campus storm drain facilities.

The existing debris/detention system was designed in accordance with County of Los Angeles standards at the time of design and construction. The current capacity of the basin is in excess of 23,000 cubic yards. The basin has remained private and was never transferred to the County of Los Angeles, and Pepperdine has performed all maintenance. The basin will continue to be maintained by Pepperdine once relocated. The proposed debris basin is designed with a primary outlet to convey storm water runoff to the storm drain system. An emergency secondary outlet is included in the design in the event the primary outlet becomes clogged or fails. The proposed basin will remain in generally the same area, but relocated approximately 400 feet upstream of the present location.

The detention basin relocation will not change the debris generation potential from the current condition that has existed for the past 40 years. The stability of the existing slopes will remain the same as the previous conditions, and will increase for ancient landslide deposits as a result of the grade increase from the recreation field providing buttressing of the slope. An increase in the frequency of the required maintenance and cleanout of the basin may be necessary.

In conjunction with the Draft EIR, SEC Civil Engineering has prepared plans and calculations which demonstrate that the debris basin is capable of intercepting 9,100 cubic yards of debris. The design also provides for a total storage capacity of 32,000 cubic yards of storage capacity resulting from a full condition (level to the top of the levee). In the event of catastrophic debris flow event, the recreation field provides an additional storage capacity of 91,000 cubic yards assuming a 5 percent debris cone. Therefore, the proposed design provides approximately 123,000 cubic yards of additional storage which would prevent excess material from entering Huntsinger Circle.

Prior to issuance of a grading permit, a final grading plan, final drainage report, storm drain plans, hydraulic calculations for all downstream facilities, debris interception calculations, restoration plans and final hydrologic/hydraulic analysis shall be submitted to the County for review and approval. In addition, Pepperdine shall prepare an Action Plan Report that provides contingencies for the appropriate remedial measures and steps to address the potential maintenance measures and required assets once final design plans have been completed

As the proposed debris basin will be designed in accordance with County requirements and to ensure no surcharge on the downstream facility, the impact is deemed to be less than significant and no mitigation measures are necessary.

d. Regional Flooding

The existing developed campus area that will encompass the Project components does not lie within a designated FEMA flood hazard zone. A former designation (Flood Zone C—minimal flooding) was removed upon completion of the existing Marie Canyon debris basin which has performed adequately in mitigating the flood hazard potential. The Project intends to replace and relocate the existing Marie Canyon debris basin upstream approximately 400 feet, with a new similar design. The proposed basin will have an increased debris retention capacity, outlet pipes with the same dimensions as the existing connection to the storm drain system, and an emergency overflow system. Based on the preliminary hydrology study (see Draft EIR Appendix C) the contributing storm flows are approximately 61 cubic feet per second less than were originally anticipated upon the existing basin's design. This, along with the increased capacity outlined in the proposed design will provide more than the required capacity to mitigate any flood hazard potential.

In addition, the grading plans for the CLP components indicate that the proposed building and renovations will control on-site drainage by routing runoff via slope drains; storm drains; paved roadways; gutters; catch basins; roof drains; and other non-erosive devices to the existing and proposed on-site drainage facilities, which are adequately designed to capture stormwater flows. Since drainage devices would be added and properly located to accommodate the changed hydrologic conditions and prevent flooding of existing facilities, regional flooding would not occur. As such, it is expected that the Project would have a less than significant impact on regional flooding.

2. **Groundwater**

a. Groundwater Recharge Impacts

Modeling estimates indicate that the build-out of all six CLP components will lead to a small decrease in groundwater recharge. Under a low rainfall water year scenario, post-CLP recharge to groundwater will remain unchanged at 0.01 acre feet (“AF”) per year. Under a high rainfall water year scenario, post-CLP recharge to groundwater will decrease by 0.07 AF per year, from 2.48 AF per year to 2.41 AF per year.

The decrease in groundwater recharge over the entire CLP area would result from the shallow sub-drains that will be installed to intercept percolating irrigation and precipitation from 1.51 acres. These sub-drains are expected to collect between 0 AF per year (low rainfall year scenario) and 2.48 AF per year (high rainfall year scenario) that would otherwise be available for groundwater recharge. As no beneficial uses of groundwater are identified in the immediate vicinity of The University, the anticipated impacts to groundwater recharge are considered less than significant.

b. Groundwater Quality

Conditions resulting from CLP construction activities that could affect groundwater quality include the following:

- leaching of minerals from freshly exposed bedrock surfaces,
- leaching of minerals from new fill materials, and
- increased salt and/or nutrient flux due to increased irrigation.

The total amount of exposed ground surface draining to groundwater will increase by 0.08 acre. The total amount of recharge due to irrigation and precipitation will increase up to 0.01 ac-ft/yr. For these reasons, very little if any change in water quality is expected in response to construction of the CLP; the construction will result in less addition of minerals or nutrients to the aquifer than exists under the current conditions. Therefore, impacts to groundwater quality are not expected.

C. Biological Resources

Impacts to biological resources are separated into direct and indirect effects. Direct impacts occur at the same time and same place as the proposed action (e.g., site preparation, grading). Indirect impacts are those that could occur at a later time or away from the project site, but still as a result of the proposed action.

1. **Direct Impacts (Components 1-4, 6)**

The sites proposed for CLP Components 1, 2, 3, 4, and 6 are similar to urban landscapes without native vegetation or suitable wildlife habitat for most wildlife species. No sensitive species, locally important species, or sensitive plant communities were found, and sensitive

species are not expected. These sites do not contain jurisdictional areas, and because of their location within or at the edge of the existing Campus, they are not important areas for wildlife movement. Direct impacts to sensitive biological resources are not expected, with the exception of potential impacts to nesting birds, which is covered in the section on impacts related to All Components, below. Direct impacts to biological resources would be less than significant.

2. **Direct Impacts (Component 5)**

a. Locally Protected Species (Individual Oak Trees)

There are two coast live oaks of County ordinance size with protection zones existing within 200 feet of the grading zone of Component 5. However both of these trees are located south of Huntsinger Circle to the east of the Facilities, Management, and Planning Offices building and northwest of the School of Law Faculty/Staff Parking Lot, approximately 160 feet from the nearest grading activity. The location of the two oak trees is such that project grading would not remove or encroach upon the protected zone of either tree. Therefore, the project would not require an oak tree permit. There would be no impacts to oak trees as a result of the Project.

b. Wildlife Movement

The project would not fragment existing habitats, as the Component 5 site would be located on developed areas of the Campus. The project site is not in a critical area for wildlife movement and does not serve as a habitat linkage between large open space reserves. Although movement would become more restricted within the site because of the loss of natural vegetation for cover, the project would not create new barriers to movement that would prevent wildlife from traversing the area. Impacts to wildlife movement would be less than significant.

3. **Direct Impacts (All Components)**

a. Impacts to Malibu Canyon and Lagoon SEA #5, the Malibu Creek Significant Watershed, and designated Environmental Sensitive Habitat Areas (ESHA) within the Malibu Creek watershed

The Marie Canyon watershed is separated from the Malibu Creek watershed by the ridgeline north of the Campus and the Winter Canyon watershed to the east. Malibu Lagoon lies approximately 1 3/4 miles to the east of Marie Canyon Creek's exit point to the Pacific Ocean. Because of the distance between the watersheds, and the terrain and drainage network of the area, a significant nexus between the project sites and the Malibu Creek watershed is not expected. Impacts to these designated sensitive areas within the Malibu Creek watershed would be less than significant.

4. **Indirect Impacts**

a. Fuel Modification (Components 3-6)

Fuel modification for CLP Components 3 and 4 would not extend beyond existing ornamental landscapes or existing fuel modification boundaries, based on standard minimum fuel clearance requirements. The Project would not result in new impacts to areas that are currently landscaped or subject to fuel modification in the existing condition. Therefore, fuel modification for Components 3 and 4 would result in no impacts to biological resources.

D. Air Quality

1. **Construction Related Impacts**

a. Health Risk Assessment

Construction equipment exhaust contains carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. Public exposure to heavy equipment emissions will be an extremely small fraction of the above dosage assumption. Diesel equipment is also becoming progressively “cleaner” in response to air quality rules on new off-road equipment.

Public health risk from exposure to diesel particulate matter (“DPM”) generated by construction equipment was evaluated using the EPA industrial Source Complex (“ISC”) computer dispersion model. Consistent with state and South Coast Air Quality Management District (“SCAQMD”) health risk assessment (“HRA”) protocols, the risk is expressed as an individual excess “risk probability.”

Diesel exhaust emissions can be minimized by the use of diesel particulate filters (“DPF”) on heavy equipment exhaust. Not every piece of heavy equipment can be equipped with such filters. A diesel risk estimate was therefore prepared for construction activity emissions for a range of filter equipped heavy machinery.

The maximum lifetime DPM exposure for a campus perimeter residence assumed to remain outside their home for 24 hours per day, 350 days per year for the duration of construction activities from 2013 to 2024 is calculated as shown in Draft EIR Table 5.4-10, if the exposure is averaged over the standard 70-year HRA exposure duration. The standard unit risk factor for DPM exposure is a 300 in a million excess cancer probability per 1.0 µg/m³ of lifetime DPM exposure. The construction projects would increase individual risk by 0.42 in a million (0.0014 x 300/million) if all heavy equipment uses DPFs and 1.82 in a million if no piece of heavy equipment has a DPF over the construction lifetime of all CLP components. The average regional risk from breathing the air in Southern California as found in the most recent SCAQMD MATES studies is 600-800 in a million. The SCAQMD CEQA Handbook concludes the individual risk of less than one in a million are negligible, and risks up to 10 in a million are acceptable if toxics best available control technology (T-BACT) has been implemented.

Project related DPM emissions, assumed partly mitigated by use of diesel particulate filters on all equipment that can accommodate such controls, are within the acceptable range of

exposure limits within the established SCAQMD significance thresholds, a less-than-significant impact.

b. Local Significance Impacts

The SCAQMD in their document, *Localized Significance Threshold Methodology for CEQA Evaluations* (June 2003), has developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Local Significance Thresholds (“LSTs”). LSTs were developed in response to Governing Board’s Environmental Justice Enhancement Initiative 1-4 and the LST methodology was formally adopted in 2005.

Use of an LST analysis for a project is optional because they were derived for economically or socially disadvantaged communities. For projects such as the Pepperdine CLP, the only source of LST impact would be during construction. CLP operations (student housing, recreation, etc.) generate negligible amounts of air pollution except for traffic. CLP implementation will reduce traffic and cars are becoming progressively cleaner. Therefore, an LST analysis was only performed for construction.

LSTs are only applicable to the following criteria pollutants: nitrogen dioxide (“NO₂”), carbon monoxide (“CO”), and particulate matter (PM-10 and PM-2.5). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

The SCAQMD in its LST guidelines, has developed look-up tables for various sized projects in various locations throughout the air basin. These tables are applicable to project areas ranging from 1 to 5 acres at source-receiver separations ranging from 25 to 300 meters. At the Campus, project areas may exceed 5 acres and several projects may be under simultaneous construction. With variable project sizes and variable source-receiver distances, the LST protocols recommend the use of computer dispersion modeling.

Consistent with SCAQMD methodology, the same ISC modeling procedures used in the diesel exhaust health risk assessment (HRA) were applied to each CLP component. Whereas the HRA modeled average emissions over the entire construction life-time, the LST analysis is based upon maximum feasible emissions over a single worst-case day. The LST analysis used the particulate matter from fugitive dust and equipment exhaust as input into the dispersion model. NO₂ and CO increments were calculated based upon the mass ratio of gaseous to solid emissions.

Mitigated daily PM-10 and PM-2.5 emissions predicted by the URBEMIS2007 computer model were used as inputs into the ISC dispersion model. Maximum exposures were calculated at the same seven residences used in the HRA. The methodology was consistent with SCAQMD guidance. As captured in Draft EIR Table 5.4-11, construction emissions would not exceed the applicable LSTs. Impacts are less than significant.

2. Operational Period Impacts

a. Operational-Related Exhaust Emissions

Possible project-related air quality concerns will derive from the mobile source emissions that will be generated from the recreational and residential uses proposed for the project site. The Project adds on-site dormitory space allowing students who had been commuting to class, to live on campus. It is anticipated that 477 fewer daily trips will be generated as a result of this project by the completion of Phase 1 and 727 fewer trips by the completion of Phase 2.

Operational emissions for project-related traffic were calculated using a computerized procedure developed by the California Air Resources Board (“CARB”) for urban growth mobile source emissions. The URBEMIS2007 model was run using the trip generation factors specified in Section 5.8, Traffic and Access. The model was used to calculate area source emissions and the resulting vehicular operational emissions for students commuting (“replaced uses” scenario) and the same students living on campus (“new uses” scenario). The model was run for year 2019 (Phase 1) and 2024 (Phase 2). In addition, trips for 49 staff/faculty and 10 visitors were added to new trips for Phase 1 and 63 staff/faculty and 20 visitors by Phase 2.

The model found that the new residential uses associated with the Project may generate small quantities of organic compounds from cleaning products, personal care products, landscape maintenance, cooking, etc. Area source emissions would be slightly higher for the Project with students living on campus. However, mobile source emissions resulting from vehicular travel is less with implementation of the Project. Because mobile source emissions dominate the operational emissions, overall the Project results in a decrease of operational emissions for each calculated pollutant.

The Project will not cause the SCAQMD’s recommended threshold levels to be exceeded at the conclusion of either Phase I or II. Project-related emission levels for the two ozone precursor pollutants (ROG and NOx) would each represent an approximate two and five percent decrease respectively of the SCAQMD CEQA significance threshold. As such, the Project is anticipated to have a beneficial impact on operational-related exhaust emissions. Further, even the increased traffic associated with increased seating capacity at a maximally attended campus event would not cause any AQMD operational emissions thresholds to be exceeded. Further this occasional increase in vehicular emissions is offset by the daily decrease in emissions resulting from increased on-campus residential space and decreased commuting ensuring Project operational impacts are less than significant.

b. Micro-Scale Emissions Impacts

Micro-scale air quality impacts have traditionally been analyzed in environmental documents where the air basin was a non-attainment area for CO. However, the SCAQMD has demonstrated in the CO attainment redesignation request to EPA that there are no “hot spots” anywhere in the air basin, even at intersections with much higher volumes, much worst congestion, and much higher background CO levels than anywhere in the northwest San Fernando Valley. If the worst-case intersections in the air basin have no “hot spot” potential, any local impacts near the facility will be well below thresholds with an even larger margin of safety.

To verify these conclusions, a CO screening analysis was performed at the closest major intersections surrounding the project. One-hour CO concentrations were calculated on the sidewalk adjacent to these intersections. Existing peak (2008) one-hour local CO background levels are approximately 3.0 parts per million (“ppm”). Combined background (3.0 ppm) plus local (1.8 ppm) equate to CO levels of 4.8 ppm, which are far below the one-hour standard of 20 ppm. Worst-case one-hour levels are even lower than the allowable 8-hour exposure of 9 ppm. As such, micro-scale impacts are less than significant.

E. Noise Impacts

1. Construction Noise Impacts

a. Haul Truck Noise

Project-related noise impacts may derive from on-road truck traffic associated with the hauling of excavated soils and delivery of concrete and other construction materials. The relationship between traffic and noise is logarithmic. It takes a large change in volumes to produce only a small change in decibels (“dB”). The incremental noise impact from the project’s haul traffic would be partially masked by existing conditions, and for the most part, there is an adequate source-receiver separation to dissipate such noise.

The Los Angeles County Noise Ordinance specifically exempts a number of activities from noise ordinance standards, including motor vehicles on private right-of-way and private property. As set forth in Section 12.08.570 I, “Except as provided in Section 12.08.550 all legal vehicles of transportation operating in a legal manner in accordance with local, state, and federal vehicle noise regulations within the public right-of-way or air space, or on private property [are exempted from the provisions of this chapter].” In addition, trucking activity would be limited to daytime hours and would not result in the potential for nighttime nuisance issues. Therefore the Draft EIR used the General Plan standard (65 dB CNEL) as the threshold for its analysis.

The Project may result in the need to export 70,000 cubic yards of soils. Hauling of this material would be restricted to using the Seaver entrance/exit to Malibu Canyon Road. Conservatively assuming this occurs over a four-month period, the daily truck trip traffic would be 120 trips (60 loads) per day assuming the use of single trailer trucks with a 14 cubic yard capacity. Assuming hauling from 7 A.M. to 3 P.M., one full truck would leave and one empty truck would enter the component area every 8 minutes. The noise level associated with 120 daily haul trips is 56 dB CNEL at 50 feet from the roadway centerline for a 35 mph travel speed. This level is below the 65 dB CNEL noise standard. Therefore, soil hauling would create a less than significant traffic noise impact.

For more routine deliveries, Seaver Drive via the Malibu Road campus entry gate will be utilized. However, the configuration of John Tyler Drive provides a more direct route and one with less elevation gains, losses and stops and starts en-route to Components 1, 2 and 3. For selected deliveries of construction materials, the latter route may prove to be an essential one. Some truck hauling of building materials (concrete, wood, steel, etc.) would occur sporadically on John Tyler Drive during CLP construction. Because of easier access from PCH, delivery trucks are likely to prefer using John Tyler Drive, which is adjacent to the MCE residential

community. The reference noise level at 50 feet from a single passing truck is 50 dB Leq. Thirty trucks per hour produce an hourly level of 65 dB Leq, it would require 720 truck trips (360 trucks in, 360 trucks out) between 7 a.m. and 7 p.m. to create a 24-hour weighted noise level of 65 dB CNEL at homes closest to John Tyler Drive. There are no planned CLP construction activities that require 360 truck loads of material on a single day. As such, haul truck noise impacts to off-campus noise-sensitive use would be less than significant.

b. Construction Activity Vibration

Construction activities generate ground-borne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement. The effects of ground-borne vibration include discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Within the “soft” sedimentary surfaces of much of Southern California, ground vibration is quickly damped out. Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than to human annoyance.

Vibration is most commonly expressed in terms of the root mean square (“RMS”) velocity of a vibrating object. RMS velocities are expressed in units of vibration decibels (“VdB”). The range of VdB is as follows:

- 65 VdB - threshold of human perception;
- 72 VdB - annoyance due to frequent events;
- 80 VdB - annoyance due to infrequent events; and
- 100 VdB - minor cosmetic damage.

To determine potential impacts of the project’s construction activities, vibration levels induced by construction equipment are estimated.

Pile drivers create the greatest vibration levels, but they would not be required for any construction activities near off-campus residences. Driven pile footings could be used at the new athletic event center or the law school parking structure. Both locations are more than 1,000 feet away from the closest homes. Pile driving vibration levels at the closest homes would be below the threshold of human perception.

The on-site construction equipment that would create the maximum potential vibration at the nearest homes is a large bulldozer. The stated vibration source level in the Federal Transit Administration (“FTA”) Handbook for such equipment is 87 VdB at 25 feet from the source. The closest residence to any point of project-related heavy equipment operations is approximately 200 feet (assumed to be set-back by 25 feet from the nearest off-campus residential property line of 175 feet). Ground borne vibration attenuates quickly with distance. Vibration levels from heavy equipment would be at about 10 VdB less than the annoyance threshold for infrequent/temporary events. Vibration levels would not reach the nuisance threshold, nor would they exceed the 100 VdB building damage threshold. Construction activity vibration impacts are

judged to be less than significant, both in terms of nuisance and for possible structural damage (cracked stucco, etc.).

2. Operational Traffic Noise Impacts

a. Traffic Noise Impacts-Normal Operations

Long-term noise concerns associated with the project center primarily on mobile noises surrounding the Project site. These concerns were addressed using the California specific vehicle noise curves (“CALVENO”) in the federal highway noise prediction model (FHWA-RD-77-108) in a computerized version of the model developed by Caltrans. The model calculates the equivalent sound level (“Leq”) noise level for a particular reference set of input conditions, and then makes a series of adjustments for site-specific traffic volumes, distances, speeds, or noise barriers. This analysis utilized data from the project traffic analysis, prepared by Associated Transportation Engineers (provided in Draft EIR Appendix I).

Of the total daily trips generated at the University, 15 percent travel north along Malibu Canyon Road, 60 percent travel east along PCH and 25 percent travel west along PCH. At each subsequent turning opportunity, fractions of each traffic stream split into different directions and thus dilute any off-site traffic noise impact.

The conversion of commuter students to resident students through the housing program would reduce student commute trips made to and from the campus. This occurs as a portion of the students living on-campus do not own cars, and those resident students that do own cars do not use them every day. The reduction in traffic generated by the shift in commute to resident students would more than offset the traffic increases generated by the new faculty, staff and visitors. This reduction in traffic would occur during both peak and off-peak travel periods. The project eliminates 744 daily trips to the campus.

As demonstrated in Draft EIR Table 5.5-8, there would be no significant project-related noise increases on any analyzed roadway segment. Along most segments, noise changes would be either not detectable or a slight decrease. Therefore, project related traffic noise impacts are less than significant.

b. Traffic Noise Impacts from an Unrestricted John Tyler Drive

The 24-hour background noise measurements at the MCE were made with the current nocturnal closure of John Tyler Drive in effect (this road is currently closed between 10:30 p.m. and 6:00 a.m., except when special events occur past 10:30, in which case the road closes once event traffic has cleared).³ Although no CLP components are anticipated to generate substantial traffic or noise between 11 p.m. to 6 a.m., the traffic noise effects of possibly removing that closure were evaluated. Thirty percent of existing traffic at Seaver Gate was assumed to use John

³ This restriction was put in place in connection with the Upper Graduate Campus Project. It was intended to be a temporary restriction (a one-year trial access restriction) with subsequent consideration for removal of the restriction to be determined by the Los Angeles County Planning Director. This restriction began in August 20, 2001 and has been voluntarily continued by the University since then.

Tyler Drive if that option were available.⁴ The traffic noise from possible diverted traffic was superimposed upon the quietest reading at the two MCE residences most recently monitored. Although traffic noise on private streets is exempt from compliance with the Los Angeles County Noise Ordinance, the Ordinance standard is used in this analysis as a threshold for a potential nuisance impact. The standard is expressed in terms of the duration and intensity. The maximum projected number of cars per hour on John Tyler Drive is 68 per hour between 11 p.m. to midnight. Assuming each car is audible for 15 seconds, 68 cars would result in a noise level of 45 dB covering 17 minutes of noise generation. The residential post 10 p.m. Noise Ordinance standard for 17 minutes of noise (approximately an L25 standard) is 50 dB. Background noise levels at the closest homes range from 43-46 dB as the 17-minute average. The diverted traffic would not cause the Los Angeles County Noise Ordinance nocturnal noise standard of 50 dB L25 to be exceeded. In addition, all increases would be 1-2 dB. Therefore, project related traffic nocturnal noise impacts under this scenario would be less than significant.

c. Traffic Noise Levels During Special Events

Athletic games and other indoor University events are currently held at the Firestone Fieldhouse, located at the southern portion of John Tyler Drive. Firestone Fieldhouse has a maximum seating capacity of 3,574 seats (3,104 seats plus 470 temporary folding chairs).

As a result of the Project, the AEC would be on the east side of Huntsinger Circle near the north end of the loop road adjacent to the Via Pacifica intersection. This facility is planned for a maximum seating capacity of 5,470 (5,000 permanent seats and 470 folding chairs), accommodating a net increase of 1,896 event attendees compared to the existing Firestone Fieldhouse facility. Data provided by the University shows that less than 3,000 persons attend most campus events and more than 90 percent of campus events experience attendance levels with less than 1,000 persons (not including graduation ceremonies). Only six events with more than 3,000 persons were held in 2007 (not including graduation). The largest of the sporting events are the men's basketball and volleyball games with up to 3,100 persons in attendance. Based on the observed event attendance patterns of 60 percent arriving by vehicle with an average occupancy of 2.5 passengers per vehicle, 455 "new" vehicle trips will be generated to/from the campus for a sell-out event. A medium sized event with 3,500 attendees would generate 840 off-campus trips. Such trip generation is identical to that of an existing Firestone Fieldhouse sell-out. Events traffic at the new facility would generate peak inbound traffic flows to the campus during a one to two hour period prior to the event and outbound flows from the campus after the event. The majority of these events would be held during the evenings and on weekends when campus traffic and parking demands are light. The presumed worst-case traffic noise impact would be a comparison of an existing maximum attendance Firestone Fieldhouse event versus a future peak attendance event at the AEC.

It is likely that both the John Tyler Drive and Seaver Drive campus access points would continue to be used when events are held at the new facility. The Table below shows the noise calculations based on peak hour event-related traffic, assuming that 50 percent of event-related

⁴ As discussed in Section 5.8, Trip distribution percentages were developed for assigning the CLP traffic based on review of the existing traffic flows at the campus access gates. The analysis found that approximately 30% of existing campus traffic uses the John Tyler Drive access and 70% uses the Seaver Drive access.

traffic would utilize each access point. This analysis assumes the John Tyler Drive gate would continue to remain open after 10:30 p.m. to allow vehicles to exit from the special event. Noise from the combination of existing measured ambient noise plus an existing Firestone Fieldhouse sell-out will be increased by +1 to +2 dB for a combination of existing measured ambient plus a new AEC sell-out.

Special Event Noise Impact Analysis (dB Leq 10-11 p.m.)

Roadway	Existing Non-Event Noise	Existing Sell-Out Traffic	Combined Existing Event	Future Sell-Out Traffic ¹	Combined Future Sell-Out	Change from Existing
John Tyler Dr.	51	53	55	55	56	+1 dB
Seaver Dr.	53	53	56	55	57	+2 dB
¹ Assumes all vehicles arrive and depart in a single hour and that the nearest sensitive receptor is located at 80 feet from the roadway centerline and that ½ of event trips utilize the indicated roadway traveling at 25 mph.						

The increased traffic on John Tyler Drive for a sell-out event with a post 10 p.m. departure would increase noise levels by +1 dB at the nearest homes compared to an existing Firestone Fieldhouse sell-out departure. Such a difference would be imperceptible to the closest residence. As such, special event traffic noise levels are anticipated to be less than significant.

d. Component #1: Student Housing Rehabilitation

Noise levels depend upon the loudness of an individual noise generator, the number of generators, the distance separation between the source and receiver, and the presence of any modification of normal spherical spreading losses. For the student housing component of the CLP, the number of sources will increase from 2000 beds to 2480 beds. The loudness of the average student will not change, the average source-receiver distance to the closest homes will not change, and there will be no major changes in building location or elevations that would change the transmission path when the housing projects are completed.

Mathematically, the existing noise level due to student activities (music, conversation, parking lots, etc.) at distance “D” from campus is expressed as follows:

$$\text{Reference Level (1 student at distance Dref)} + 10 * \text{Log} (2000) - 20 * \text{Log} (D / \text{Dref})$$

At full occupancy, the relationship can be expressed as follows:

$$\text{Reference Level (1 student at distance Dref)} + 10 * \text{Log} (2480) - 20 * \text{Log} (D/\text{Dref})$$

Subtracting to establish the change in noise, we are left with:

$$\text{delta} = 10 * \text{Log} (2480) - 10 * \text{Log} (2000) = 10 * \text{Log} (2480/2000) = 10 * \text{Log} (1.24) = 0.9 \text{ dB}$$

The average noise created by 2480 students engaged in typical living, studying and recreational activities is + 0.9 dB louder than from 2000 students. Such a change is generally considered an imperceptible increase.

Another source of noise at the proposed student housing component is heating, ventilation, and air conditioning (“HVAC”) equipment. However, the existing student housing includes HVAC equipment. Noise from similar equipment associated with the proposed student housing would not substantially increase existing noise levels.

Therefore, noise impacts from the student housing component on surrounding off-site residences would be less than significant. In addition, the University’s Department of Public Safety shall augment the number of public safety offices to accommodate the Project in accordance with existing campus policy. As such, public safety officers would regularly patrol both the University’s Standard and Outer Precincts and ensure noise is kept to a minimum particularly during hours of greater noise sensitivity.

e. Component #4: Town Square

The proposed Town Square would be located on what is now the Seaver Main Parking Lot. The proposed Town Square CLP component proposes a quad area, including a grass lawn and welcome center, above underground parking. The closest off-site sound receptor to the Town Square used for determining noise impacts is approximately 900 feet from the center of the quad area in the MCE residences.

Stationary noise sources which could have an impact on the nearest residential activities are small speakers to provide music and other programming support for activities in the new quad area as well as mechanical equipment source noise including electrical and mechanical air conditioning. The speakers would be directed internally to the new quad area and, together with the support equipment, would be screened from possible on- and off-site sensitive use areas to reduce audibility. Los Angeles County Noise Ordinance standards for stationary sources allow for no more than 50 dB L50 daytime hourly noise standard at the residential boundary and 45 dB L50 at night.

Potential noise generated by HVAC equipment was evaluated using typical maximum HVAC equipment noise levels. The exact type and quantity of HVAC equipment is not yet known. The hourly average reference noise level at a 50-foot analysis distance for typical rooftop mounted equipment is 54 dB at 50 feet. For continuously running equipment Leq and L50 are almost identical. Standard design features such as shielding and parapets would reduce noise emissions below this level. For direct line-of-sight conditions, the above point source data can be adjusted for geometrical (spherical) spreading losses at a 6 dB per distance doubling between the source and the closest receiver. At the nearest distance to a sensitive off-site receptor of 900 feet, noise from HVAC equipment would be approximately 29 dB L50 without shielding. Shielding would reduce noise levels to less than 29 dB L50.

Because of this component’s distance to off-site sensitive receptors as well its lack of noise generating activity, the proposed Town Square improvements are expected to result in a less than significant impact.

f. Component #5: Enhanced Recreation Area

The CLP would provide an Enhanced Recreation Area intramural playing field with lighting, located north of Huntsinger Circle in an area currently consisting of an intramural field and the Terrace Parking Lot. Currently, the Tari Frahm Rokus Field and Stotsenberg Track are utilized for both student recreational activities and University athletics. This component would increase the distance between the site of these activities and off-site residential uses, and as a result would somewhat reduce the potential for associated off-site noise.

Various types of athletic activity would occur at the proposed Enhanced Recreation Area, such as soccer, softball, and rugby. By way of reference, measured intramural softball field activity noise for a typical mix of participants and spectators at the outfield perimeter is 55 dB L50. For intermittent noise, L50 is less than Leq. Distance attenuation from the Enhanced Recreation Area to the nearest off-campus homes would reduce this level to 35 dB L50. Although softball is only one activity proposed that may occur at the Enhanced Recreation Area, this noise level is assumed typical of similar athletic events such as soccer or rugby. This noise level is well below existing ambient levels and below the County of Los Angeles Noise Ordinance daytime standard of 50 dB L50 and the nocturnal noise ordinance standard of 45 dB L50.

Studies on the noise effects on bird behavior have demonstrated a negative impact on nesting and breeding behavior when noise levels exceed 60 dB LEQ. The primary documented noise impact appears to derive from masking of vocalization between breeding pairs due to elevated noise. The U.S. Fish & Wildlife Service has established noise standards for construction activities near habitats of threatened or endangered bird species of 60 dB LEQ during the noisiest single hour of activity (Road Engineering Journal, October 1, 1997). The 60 dB Leq standard has is a widely accepted mitigation threshold during nesting/breeding seasons for least Bell's vireos, California gnatcatchers and similar protected species.

The average noise level at the perimeter of an intramural recreational environment is 55 dB or less based upon noise measurements for softball, soccer and similar semi-competitive activities. This level is already less than the wildlife noise protection standard typically applied to potentially impacted bio-habitats. Noise levels continue to decrease at an approximate rate of -6 dB per doubling of source-receiver distance. In moving away from the proposed enhanced recreation area, recreational noise will drop to less than 50 dB as the mean source-receiver distance increase from a typical value of 250 feet to the edge of the area to 500 feet into the open space beyond. Student recreation noise will be well below any level of documented wildlife effects.

Based on the above, noise impacts associated with the Enhanced Recreation Area would be less than significant.

g. Component #6: School of Law Parking Structure

The School of Law Student Lot is located at the southeast corner of Baxter Road and Seaver Drive and currently provides surface parking for 291 cars. The proposed School of Law Parking Structure would provide 611 parking spaces on three levels.

Typical parking lot noise includes doors shutting, engines starting, and acceleration. Other noises can include tire squeal noise, loud stereos, and car alarms. These noises would occur intermittently and are not long in duration. The frequency of these on-site noise events would increase as a result of the project because an increased number of cars would park in this location.

The off-site sensitive uses closest to the proposed School of Law Parking Structure are located in the MCE and are approximately 1,700 feet from the proposed parking structure.

A typical noise measurement at the façade of a parking structure is 60-70 dB during individual noise events. However parking lot noise is more appropriately analyzed as an hourly average. As a result, although parking lots may result in peak bursts of noise of 60-70 dB Lmax at 50 feet (car doors slamming, an engine starting up), the continuous noise level around 50 dB L50. Parking lot activities are primarily limited to daytime hours of lesser noise sensitivity and noise from parking lot activities would be attenuated by distance separation of at least 1,700 feet. Using the standard attenuation rate for a soft site, parking lot noise levels at the property line of the closest residence would be attenuated by -23 dB and this does not take into effect the attenuation offered by intervening buildings/structures. Hourly noise levels around 27 dB L50 are thus not expected to exceed the County's 50 dB L50 hourly noise standard for daytime parking structure use. As such, noise impacts associated with the proposed School of Law Parking Structure are considered to be less than significant.

h. Combined Noise Levels from All Project Components

An approximate composite of every noise source from CLP components can be created if every source were generating peak noise levels. The possible non-traffic sources include the Upgraded NCAA Soccer Field, the mechanical equipment at Town Square, student recreation at the enhanced recreation area, and parking lot operations (door slams, engines starting, tire squeal, alarm chirps, etc.), along with the chiller plant. The maximum composite noise at the closest off-campus residence is approximately calculated as follows (dB L50):

Chiller Plant/Cooling Towers	40 dB
Soccer Field	45 dB
Town Square HVAC	29 dB
Student Recreation	35 dB
<u>Parking Structure</u>	<u>27 dB</u>
COMPOSITE	47 dB

The composite level of 47 dB L50 is below the County Noise Ordinance standard of 50 dB L50 for daytime (pre-10 p.m.) events. The Upgraded NCAA Soccer Field would not be operational after 10 p.m. Noise levels excluding the Upgraded NCAA Soccer Field would total 43 dB, which is below the nighttime County Noise Ordinance standard of 45 dB L50. Therefore, even considering the combined noise levels from all Project components (assuming the chiller plant would be located inside a building) the above conclusions for the individual project components would not change.

F. Visual Resources and Aesthetic Qualities

1. Light and Glare

a. Illuminance

Illuminance evaluates the potential for the components to create light trespass, or excess light levels beyond the property boundaries. Illuminance levels in excess of 0.5 footcandles (“fc”) would be considered a significant impact for the Receptor Sites along John Tyler Drive and PCH. As outlined in figures contained in Draft EIR Section 5.7, looking at Receptor Sites A, B, C, H, & J, located on John Tyler Drive and PCH, the calculated contribution of illumination from all CLP components results in a contribution that ranges from 0.003 to 0.116 fc. Impacts are therefore considered to be less than significant.

The Draft EIR used Receptor Sites to measure potential impacts to habitat and vegetated natural areas and determined that any illuminance contribution greater than 0.1 fc would constitute a significant impact. The calculated contribution of illuminance at all Receptor Sites located in vegetated natural areas is less than the threshold of 0.1 fc. Impacts are therefore considered to be less than significant.

b. Coverage

Coverage is qualitative measure that relates to the visual prominence of the Project components by describing the portion of the view that each component occupies at each Receptor Site. Coverage is expressed as a percentage of the view occupied by the CLP components. Potential coverage impacts were assessed on a case-by-case basis, and in each case the change in coverage impacts was determined to be less than significant. Although the numerical value for coverage will increase in some cases, the potential lighting impacts related to those increases in coverage were either consistent with existing conditions, or resulted in reduced lighting impact due to CLP design features such as shielding and limited aiming. For example, the height of pole lighting at Component 3 and 5 will increase, which could result in higher amounts of coverage as seen from selected Receptor Sites. The increased heights may also present the possibility of high brightness lamp source visibility. However, the view angle studies show that the proposed sports lighting at these components can be carefully aimed and shielded to substantially limit glare conditions. Proposed architectural elements (consisting primarily of wall surfaces) of the CLP will also increase the coverage of some components as seen from the Receptor Sites. As the potential lighting impacts related to increases in coverage are either consistent with existing conditions, or result in reduced lighting impact due to CLP design features such as shielding and limited aiming, none of the improvements will result in significant visual impacts.⁵

⁵ The change of mitigation requirement from “Full-Cutoff” to “Cutoff” for Site Lighting Poles greater than fifteen (15) feet and between fifteen (15) and six (6) feet will not result in an impact greater than the measures used for the threshold of significance for Light Trespass (illuminance) or Glare (luminance). This is a minor change in luminaire design that increases the allowable percent of light distribution above the horizon from 0% to no more than 2.5 %. Both Full-Cutoff and Cutoff fixtures additionally limit the percent of luminaire light distribution between 80 degrees and 90 degrees (horizontal) from nadir to less than ten percent (10%).

c. Context

Context is a qualitative evaluation of the view of the CLP components from the various Receptor Sites. The Project components result in slightly increased or unchanged coverage impacts at all Receptor Sites. In most cases, visual obstructions and topographical conditions are unchanged, such that the component sites that are currently partially obscured from view will remain obscured from view in the future condition. The increased height of the lighting poles proposed at Components 3 & 5 is likely to increase the amounts of the light features that are visible from selected Receptor Sites. The four taller lighting poles along the northern side of the field at Component 3 will appear to coalesce with the level of the roofline of the proposed AEC, and they would, in the case of several poles along the south side of the field, intrude into the skyline above mountain ridgelines to the north when viewed primarily from Receptor Sites A & B along John Tyler Drive. The four poles arrayed along the southern side of the field may appear taller as they would be closer to the Receptor Sites. However, the potential lighting impacts related to increases in context are either consistent with existing conditions, or result in reduced lighting impacts due to CLP design features such as shielding and limited aiming. As such, impacts are less than significant.

2. On-Site Visual Resources

The landscaped terrain and visible buildings of the University campus are identified as a Highly Scenic Area. Other on-site visual resources include Scenic Element # 9, Malibu Canyon, and a small portion of a Significant Ridgeline as identified on the Local Coastal Plan ("LCP") Visual Resources Map (*see* Draft EIR Figure 5.7.1-1). These resources are located in the northernmost portion of the University's property. None of the Project elements would be developed in these northern areas of the site. The CLP components are situated within the interior of the developed campus in locations that are not visible from either of the adjacent designated scenic roads. As such, the visual character impacts of the existing shoreline or mountain viewshed, as seen from designated scenic highways, including PCH and MCR, are considered to be less than significant.

3. Views of Visual Resources/Scenic View

The CLP sites collectively represent infill projects in the form of rehabilitation of aged buildings and/or intensifications of use on existing underutilized sites. Therefore, and as further described below, none of the CLP components would interfere with existing views of ocean or shoreline features from designated public viewing locations, nor would the CLP block or interfere with public views of the elevated ridgelines that are officially recognized as scenic features or viewshed ridgelines in the Santa Monica Mountains to the north of the developed core of the campus. The impact of the CLP to visual resources and scenic views is considered to be less than significant.

Additionally, both Full-Cutoff and Cutoff luminaires meet current LEED requirements for the developed areas of the Pepperdine campus.

a. Views from Pacific Coast Highway

All of the project components are located on the inland, northern side of PCH and, therefore, the Project would have no impact on coastal-directed views from PCH. While existing portions of the developed campus located atop the grassy sloping terrain situated toward the southern edge of the developed campus and selected residential areas situated at the highest developed campus locations, are visible from PCH, the CLP components would remain out of view as they would be located behind and be hidden from view by intervening terrain and existing structures and landscaping. Therefore, the project would result in a less than significant impact on views of the University from PCH.

Tall light poles are proposed for nighttime illumination of the Upgraded NCAA Soccer Field. As the Upgraded NCAA Soccer Field is oriented in an east-west direction, light poles would be erected on both the north and south sides of the field.

As the poles would be approximately 110 feet tall, the tops of them could be seen briefly in northerly-directed views from PCH. The segment of PCH from which variable views of the top of at least one light pole at the track and/or Upgraded NCAA Soccer Field may be visible is located east of John Tyler Drive near the tennis courts and measures approximately one-quarter mile (1,300 feet) in length. The views available to motorists of the tops of the light poles would be at awkward viewing angles, approaching 90 degrees and greater, from the direction of travel. During daytime conditions they would scarcely be noticeable at the distances involved. The highest points of the light poles placed at the Upgraded NCAA Soccer Field would reach an elevation of approximately 468 feet, or approximately 300 feet lower than the existing visible development comprising the Drescher Graduate Campus located on hillsides to the northwest.

Scenic mountain viewshed boundaries form the northern and western mountain backdrops for the Campus vicinity. The viewshed boundaries follow ridgelines that rise from Malibu Canyon to the north of the developed campus and from PCH to the west of the campus. The ridgelines reach an elevation of approximately 1,800 feet north of the developed portions of the campus. West of the campus, the viewshed ridgelines peak at approximately 1,190 feet. The highest-elevated Project component, namely the School of Law Parking Structure with an upper parking tier elevation of approximately 658 feet, would not intrude into the skyline in any public or private view directed northerly across the campus from PCH, MCR, or Conservancy-owned Malibu Bluffs, or in public or private views from MCE. Only the tops of the proposed light standards at Component 3 (Upgraded NCAA Soccer Field) would be visible from a relatively short segment of PCH (approximately 1,300 feet in length). The limited visibility of the tops of several light poles at the Upgraded NCAA Soccer Field would not intrude into the skyline and would not block views of scenic rock formations or natural vegetation. Therefore, the Project would be considered a less than significant impact on scenic views of the mountains from PCH.

b. Views from Malibu Canyon Road

All of the project components are located on the northwestern, mountainous side of MCR in locations that are not visible from the road, and, therefore, the Project would have no impact on coastal-directed views from MCR. Furthermore, the Project would have no impact on scenic views of the mountains from MCR.

c. Views from State and Federal Lands and Conservancy-owned Malibu Bluffs

None of the project components would be visible from the large nearby State and Federal tracts of land located northerly of the University in the interior of the Santa Monica Mountains. Therefore, the Project would have no impact on scenic views from these locations. The Draft EIR determined that while none of the terrain surfaces at any of the Project component locations would be visible, it is likely that the sides of the residential structures of the Outer Precinct would become visible and they would be bracketed against a visual backdrop of the existing, higher-elevated residential structures of the Lovernich Residential Complex. The tops of the lighting standards that have been proposed for location at the Upgraded NCAA Soccer Field would also be visible, albeit from a distance of approximately 0.6-0.7 mile. As such, the visibility of several of the buildings of the proposed Outer Precinct and the tops of light poles proposed as part of the Upgraded NCAA Soccer Field would result in a less than significant impact to scenic views from the park location.

d. Views from Public Hiking and Equestrian Trails

Ocean views from the Mesa Peak Trail, located inland (north) of the Project components, would not be obstructed by the Project. The Mesa Peak Trail follows the highest mountain ridgelines north of the campus at elevations ranging from 460 feet to 1,400 feet higher than those of the various components of the project. A portion of the Mesa Peak Trail route that extends southeasterly of the 1,800-foot ridge crest at the head of Marie Canyon that follows along the top of the ridgeline, may offer southerly views of the Project component sites. The closest and highest elevated of the CLP components, namely, the School of Law Parking Structure site may be visible in coastal-directed, downhill views from 2,000 feet away and from trail locations that would be approximately 460 feet higher in elevation. Neither the School of Law Parking Structure nor any of the other CLP components that would be visible from limited portions of the Mesa Peak Trail would interfere with or block views of the ocean or shoreline features. The eastern and western branches of the Coastal Slope Trail that descend into the adjacent Puerco Canyon and Malibu Canyon areas from the Mesa Peak Trail would offer no views of the CLP components as the routes of the trails dip to lower elevations behind intervening ridgelines eliminating potential views of all the CLP components. Therefore, the Project would result in a less than significant impact on views from designated public hiking or riding trails.

e. Views of Visual Resources from Malibu Country Estates

North to northeasterly views of mountain ridge crests that form the scenic backdrop to the Campus would not be obscured or significantly interfered with in any view from MCE. Further, no existing view of coastal features that is available from anywhere within MCE would be obscured or interfered with by the CLP. The highest elevated of the project components, the School of Law Parking Structure, would occupy a site with an elevation of approximately 625 feet. The elevation of the ridge crest at the head of Marie Canyon reaches 1,800 feet and descends southeasterly to a ridge crest elevation of approximately 1,100 feet north of the water tank and residential housing that mark the northeastern extent of the development on the Campus. The highest-elevated CLP components situated between MCE and the scenic mountain

backdrops are the Enhanced Recreation Area and the School of Law Parking Structure. The surface of the Enhanced Recreation Area would be 565 feet (the approximate height of the existing intramural field) and the surface of the School of Law Student Parking Lot where a new parking structure would be located is approximately 625 feet. The highest roof feature of School of Law Parking Structure would reach approximately 658 feet in elevation. In a straight line-of-sight view extending from the northern end of MCE that would pass through the parking structure to the mountain skyline backdrop, the viewshed defining ridgeline would be 477 feet higher than the tallest structural element at the proposed parking structure. In a similar straight line-of-sight view extending through the AEC location and that of the Enhanced Recreation Area to the mountain skyline backdrop, the viewshed defining ridgeline would be 1,110 feet higher than the highest-elevated structural element of the AEC. None of the Project components would intrude into the mountain skyline, and no coastal views would be interfered with. Therefore, impacts on views from MCE are considered to be less than significant.

4. Visual Character, Quality, and Compatibility Issues

Collectively, the Project components resemble the form and function of the existing institutional structures and outdoor activity areas that characterize normal and expected uses within the developed core area of the Campus. The architectural style and sizes of the Project structural components and terrain modifications are in character with the existing on-site university campus facilities and manufactured terrain features. Further, the sizes and heights of the Project's structural components are generally compatible with the distribution and scale of existing campus facilities. As such the Project components would not be out of character with adjacent development, and the surrounding campus setting and visual impacts associated with it are considered to be less than significant.

Public views directed toward the campus in which any of the CLP components could be seen from the MCE, are limited. The one CLP component most widely seen is the Standard Precinct. However, public visibility of it from MCE is from distances of not less than 800 feet. The most notable visible change to the Standard Precinct would be the addition of a third story (13 ft. 2 in.) to the residence halls. All of the other CLP components are located northeasterly of the MCE in topographical situations that are typically blocked from public view by intervening terrain and the view-blocking effects of roadside multi-story residential structures and mature private and public streetscape landscaping within the residential development. Due to the project's limited changes to the overall physical terrain conditions of the developed campus, along with the limited visibility of the Project components from MCE, the Project is considered to have a less than significant impact related to visual compatibility with the adjacent development and architectural styles of existing structures as seen from MCE.

5. Impacts on Views of Natural Terrain

Implementation of the project components would not require alteration of existing areas of natural terrain and therefore would result in a less than significant impact upon views of existing natural terrain.

G. Traffic and Access

1. Traffic Congestion

a. Surrounding Road Network

The CLP would decrease traffic on the surrounding roadway network following completion of both Phase I and II. The conversion of commuter students to resident students facilitated by the housing program plus the enhanced campus life experience provided by upgraded athletic, recreation, wellness, support programs, etc., would reduce the number of trips to and from the campus. Thus, the CLP would have less than significant impacts on the road network and would actually generate beneficial impacts.

2. Site Access and Circulation

The Project would not alter currently existing vehicular access and/or on-campus circulation roads, none of which are known to have hazardous conditions. Furthermore, existing, site access via either John Tyler Drive/ PCH or Malibu Canyon Road/ Seaver Drive–Civic Center Way intersections would operate under an improved V/C ratio under the Project when compared with the Existing + Ambient Growth (without project) scenario. As such, the Project's potential impacts to hazardous road conditions from site access and circulation are considered less than significant.

3. Parking

a. Future Demand

Existing + CLP parking demands were forecast based on operational data provided by the University. The operational data show that the CLP would result in the addition of 55 new full time employees (FTE), 15 new contract employees and 20 new visitors per day. No change to student enrollment is proposed under the CLP. The shift from 468 commute students to 468 residential students is anticipated to decrease student-parking demands that occur during the peak mid-day periods. However, the analysis assumes no change in parking related to this change.

The future parking supply would accommodate the future parking demands as they emerge during both Phase I and Phase II of the CLP implementation schedule. The peak parking demand is forecast at 3,397 spaces, at the end of Phase I, which equates to 66% occupancy, leaving an excess of 1,760 open parking spaces. The peak parking demand is forecast at the end of Phase II would be 3,416 spaces, which would equate to 63% occupancy, leaving an excess of 1,964 open parking spaces upon completion of the CLP. As compared to the existing peak parking demands (up to 73%), the parking expansion proposed under the CLP is intended to better accommodate the day-to-day demands as well as accommodate demands generated by events (as discussed below) during both Phases I and II. As such, the Project's impact related to on-site parking would be less than significant and, in fact, considered beneficial.

4. **Event Traffic and Parking**

a. AEC Parking

For a description of the AEC, including capacity, see these Findings Section IV.B.

The parking demand analysis completed for the AEC was based on three levels of attendance, namely for events attended by 4,000, 4,500, and 5,470 persons. The analysis assumes that 60% of the spectators would travel to the event from off-campus and 40% of the spectators would be Pepperdine students, faculty and staff that live on campus. This ratio was developed based on ticket data collected at basketball games held at the Firestone Fieldhouse. The parking demand analysis assumes an average vehicle occupancy of 2.5 persons per vehicle. Based on these statistics, a 4,000-attendee event would generate a parking demand of 960 vehicles ($4,000 \text{ spectators} \times 0.60 / 2.5 = 960 \text{ vehicles}$). A 4,500-attendee event would generate a parking demand of 1,080 vehicles ($4,500 \text{ spectators} \times 0.60 / 2.5 = 1,080 \text{ vehicles}$). A maximum size event of 5,470 attendees would generate a parking demand of 1,313 vehicles ($5,470 \text{ spectators} \times 0.60 / 2.5 = 1,313 \text{ vehicles}$). Students, faculty, and staff who live on campus would walk to the AEC or use the shuttle bus system that is in place. Should resident students or staff choose to drive to games, their parking demands would be re-assigned from the parking lots that serve the housing units to the parking facilities adjacent to the AEC.

With a maximum attendee event at the AEC during Phase I the parking supply of 5,157 spaces would be 91% occupied, leaving 447 spaces open during peak parking demand. During a maximum attendee event at the AEC during Phase II, the parking supply of 5,380 spaces would be 88% occupied, leaving 651 spaces open during peak parking demand.⁶ Note further that parking demands generated by events held at the AEC were added to normal afternoon peak parking demand data, which results in a conservative analysis. Realistically, the majority of the larger events that would occur in the AEC, such as men's NCAA basketball and volleyball games, would be held during evenings or on weekends when the campus parking demands are lower. During these evening and weekend periods, event parking would be even more easily accommodated on campus. As such, the Project's impact related to event parking is considered to be less than significant.

⁶ This specific component phasing of the CLP is contingent upon fundraising, future University needs and may be subject to change. In the event that the SOL parking structure is not constructed first, the University will maximize use of other available campus parking facilities during event periods. This may include for example use of special parking permits and shuttling, as necessary, in order to utilize excess parking at the Drescher Campus and other more remote on-campus parking locations that are currently underutilized. Even in this scenario, the Phase I parking supply would accommodate the future parking demands without the SOL parking structure. With a maximum size event of 5,000 guests held at the AEC, the peak parking demand is forecast at 4,597 spaces, which equates to 97% occupancy with 127 excess spaces. As such, the Project's impact related to event parking is considered to be less than significant, however mitigation is included to limit the maximum size event to 5,000 during the peak demand period until a supply of 4,880 parking spaces is achieved.

H. Public Services-Fire Protection

1. Defensibility of the Proposed CLP Project from Wildfires

The Project components would primarily introduce new structures and modify existing ones that would be situated within the currently developed core area of the campus. The various components would constitute infill that would be situated amid existing development within leveled areas of the campus that are already accessible by emergency vehicles, allowing for the use of standard firefighting techniques. Fuel modification and/or brush clearance up to 200 feet on adjacent terrain would also be required by the Los Angeles County Fire Department (“LACFD”). Each of the components of the CLP would be served by an existing water system within the developed portion of the campus that meets County fire flow requirements for the project’s structures. Fire-safety measures would be required of all the new development to prevent the accidental occurrence and/or spread of wildfires along the wildland interface of the developed campus.

Given the past history of wildfire prevention at the University and the required implementation of the fire prevention design features and measures discussed above and below, the CLP areas are expected to be defensible from wildfires. As a matter of routine, the University allows the LACFD to review all fire-safety plans. Furthermore, the University has showed a readiness to comply with all LACFD requirements. According to the LACFD, the completion of the CLP would not adversely affect the University’s “shelter in place” policy for residents, students, and staff.⁷ The Firestone Fieldhouse and the Tyler Campus Center are currently approved as shelter-in-place facilities by the LACFD. Since the proposed AEC would not be a designated shelter-in-place facility, both Firestone Fieldhouse and the Tyler Campus Center would continue to serve in this capacity. Although the CLP develops land uses in an area subject to wildfires, its occupants and/or property would be adequately protected from wildfires, and the potential for wildfire impacts to occupants/structures of the Project would be less than significant.

2. Wildfire Impacts Associated with Increased Human Activity at CLP Site

In general, the potential increase in wildfires in the project area would be minimal as the Project contains certain safeguards that protect against fire hazard. Many factors work to minimize fire and emergency risk including

- the design(s) of the project component site plan(s),
- mandatory compliance with various LACFD fire safety requirements,
- the minimal history of on-campus arson, and
- existing campus emergency management programs.

The CLP does not place new structures immediately adjacent to undeveloped areas containing native vegetation. Where CLP structures would be situated within 200 feet of hillside areas containing native vegetation, the LACFD regulations requiring a minimum 200-foot brush

⁷ Letter Correspondence from Chief John R. Todd, Forestry Division. Los Angeles County Fire Department, 2008.

clearance area with fire retardant (native) landscaping would be applied. Wherever new manufactured slopes may be created at any of the internal campus development sites, they would be planted with fire retardant ornamental and/or native vegetation.

Each of the CLP components would be located entirely within private university property. All students, faculty and staff are required to carry identification cards at all times when on campus. Overnight visitors and guests must also notify the University Department of Public Safety (“DPS”) prior to entering the campus. Closed-circuit television cameras are also employed by Public Safety officials to provide additional surveillance of residential units, parking lots, and campus entrances. In addition, intrusion alarms are located throughout the University’s buildings and would also be installed within new facilities and re-developed structures. Each of these security features reduces the potential for on-campus arson or wildfires. The University’s DPS has also indicated that there has been no instance where a wildfire occurring in the Malibu area originated on the Campus.⁸

It is anticipated that the increase in the number of students housed on-campus and visitors to the campus as a result of the completion of the CLP would not substantially increase the possibility of an occurrence of human-caused wildfires. Therefore, the Project would result in a less than significant impact in relation to the potential for an increase in the occurrence of wildfire.

3. **Demand for Fire Protection/Emergency Services**

The Project component designs would incorporate and meet all fire safety features in accordance with applicable County Fire Safety Code requirements and ordinances pertaining to building construction, site access, proximity to water mains, the adequacy of fire-flows, the use of sprinklers in new construction, and the location of adequate numbers of fire hydrants. In addition, campus fire protection measures would include electronically monitored fire and security alarmed buildings with secure centralized connections to local fire and sheriff stations. Each building would be equipped with stand-alone County-approved security and fire system features. Finally, a County-approved Emergency On-Site Sheltering and/or Evacuation Plan for the CLP components would be integrated with the emergency plans designed for the remainder of the campus. The latter coordinated emergency plans would be in effect, as well as open to LACFD recommended improvements throughout the life of the CLP.

The development plans for the CLP components are required to conform to all applicable County and State Fire Codes. The project components would include fire alarms, fire-walls and dampers, and detector devices in accordance with the State Fire Marshall requirements. Fire truck access, with adequate turning radii for fire equipment has also been incorporated into the project’s design. The LACFD will need to review and approve the Project plans with respect to the provision of adequate access (ingress and egress). Completion of the project’s potable and reclaimed water system networks, water distribution lines, and compliance with all mitigation measures listed in the Water Availability Section of the Draft EIR (Section 5.10.1), will ensure that the water supply will be sufficient to meet the fire-flow requirements of the CLP. Fire safety

⁸ Personal communication, Robert McKelvy, Deputy Director of Emergency Services for the Department of Public Safety at Pepperdine University. April 15, 2010.

provisions contained within the University's Emergency Preparedness Plan would also be implemented in the case of a natural or man-made fire emergency.

The LACFD would be able to respond to an emergency at the project site within five (5) minutes, which is considered an adequate response time. According to the LACFD, fire protection serving the area appears to be adequate for the existing development; however, each additional development creates greater demands on existing resources. Nevertheless, the project in absence of cumulative impact is not expected to create a need for additional staffing or resources.⁹

Existing staff levels and equipment would adequately accommodate the Project. The project is required to comply with requirements regarding construction, access, water mains, fire flows, and hydrants. The CLP includes measures to provide for adequate water supply and flow. The CLP therefore would generate a demand for typical fire protection services that could be adequately accommodated by existing staff levels, equipment, and/or water supply, and thus, impacts on existing fire protection/emergency services would be considered less than significant.

I. Public Services/Police Protection

1. Short-Term Construction Phase Impacts

Law enforcement impacts during the construction phase of a project are often associated with the potential theft of construction materials/equipment or traffic enforcement for heavy construction vehicles. Such impacts are not anticipated during the construction phases of the Project components because the sites are located within private property that is not easily accessible from public roadways. The University's Public Safety Officers are also expected to reduce demands for law enforcement by the LACSD during the construction phase, by their routine patrolling and specific monitoring of construction areas to guard against unauthorized site entry by all persons. Furthermore, traffic enforcement of heavy construction vehicles is not anticipated as the movement of grading and/or heavy construction vehicles would be confined to the CLP component sites and would not venture off-campus to utilize nearby public streets. As the demand for law enforcement services generated by the CLP during construction could be accommodated by existing LACSD staffing levels, no significant short-term law enforcement impacts are anticipated as a result of construction of the Project components.

J. Public Utilities

1. Potable Water Supply

The current University potable water demand is 191,495 gallons per day ("gpd") and the future demand (i.e. demand following completion of the CLP components) is 212,744 gpd. This annual demand increase is below the anticipated increase in demand projected by LACWWD No. 29 through 2030 and should not adversely impact current planning efforts of LACWWD No. 29 to secure future supply. It is important to note that with the implementation of the CLP, water conservation shall be continued by the University through the continual use of recycled water for

⁹ Letter Correspondence with Chief John R. Todd, Forestry Division. Los Angeles County Fire Department, 2008.

irrigation purposes. As discussed above, the conservation program presently employed at the University saves approximately 90.3 million gallons per year of potable water resources. In addition, the University would replace the older Standard and Outer Precinct residential units with modern residential units that incorporate energy and water efficient components (i.e. low water use appliances) that would be Leadership and Energy and Environmental Design (LEED) certified and the proposed AEC would be certified LEED Silver Rating by the United States Green Building Council. Since the projected increase in water demand generated by the CLP is falls within the available and projected water supplies of LACWWD No. 29, impact from potable water use is considered to be less than significant.

2. Recycled Water Supply

The maximum future recycled water demand at the University is 461,984 gpd.¹⁰ Recycled water is available from the Malibu Mesa Wastewater Reclamation Plant (“MMWRP”) at an average rate of 152,000 gpd. Additional recycled water is available from the TWRP at a maximum rate of 1.5 million gpd. Availability of recycled water supply exceeds the future demand by approximately 1.19 million gpd. As discussed in Section 5.10.2 Sewage Disposal, the Project is expected to generate approximately 39,914 gallons of sewage per day. As such, the Project would send wastewater to the Tapia Wastewater Reclamation Facility (“TWRP”), which in turn would produce additional recycled water that can be utilized for the Project. As required by the Los Angeles County Drought-Tolerant Landscaping Ordinance, the CLP would incorporate drought-tolerant landscaping in order to help conserve recycled water sources. Thus, the impact to annual demand on recycled water supplies from MMWRP and TWRP is considered less than significant.

3. Potable Water Storage

As shown in the Table below, sufficient storage will exist to accommodate Emergency Storage (one day of Maximum Daily Demand (“MDD”)), Operational Storage (30 percent of one day of MDD) and Fire Storage (5000 gpm for 5 hours). The table shows a storage surplus in excess of 2.6 million gallons for the future demand scenario. The surplus is calculated as the total available storage less the total required storage. Thus, it is anticipated that the CLP would have a less than significant impact on potable water storage.

Potable Water Storage Analysis

Scenario	Maximum Day Demand (MDD)	Emergency (1 Day of MDD)	Operational (30% of 1 day of MDD)	Fire (5,000 gpm for 5 hours)	Total Required	Total Available	Surplus
Future Demand	363,792 gpd	0.36 MG	0.11 MG	1.50 MG	1.97 MG	4.6 MG	2.63 MG

¹⁰ Recycled water MDD is found multiplying the peaking factor (1.63) by the average future daily demand (283,426 gpd).

4. Recycled Water Storage Capacity

As shown in Table below, sufficient storage will exist to accommodate Emergency Storage (one day of MDD), Operational Storage (30 percent of one day of MDD) and Fire Storage (5000 gpm for 5 hours). The table shows a storage surplus for services in or below the 910 pressure zone in excess of 2.6 million gallons for the future demand scenario. The surplus is calculated as the total available storage less the total required storage. Thus, it is anticipated that the CLP would have a less than significant impact on recycled water storage.

Recycled Water Storage Analysis

Scenario	Maximum Day Demand (MDD)	Emergency (1 Day of MDD)	Operational (30% of 1 day of MDD)	Total Required	Total Available	Surplus
Future Demand	461,984 gpd	0.46 MG	0.14 MG	0.60 MG	3.99 MG	3.39 MG

5. Pumping Facilities

a. Potable Water Pumping Capacity

Pepperdine's Marie Canyon pumping station contains two pumps. The smaller pump has a capacity of 1,470 gpm, which can provide 2,116,800 gpd. As shown in **Table below**, sufficient booster pumping capacity exists to accommodate MDD with the largest pump out of service. The table shows a booster-pumping surplus in excess of 1.7 million gpd for the future demand scenario. Thus, a less than significant impact is anticipated.

Potable Water Booster Pumping Analysis Scenario

Scenario	Maximum Day Demand (MDD)	Capacity	Surplus
Future Demand	363,792 gpd	2,116,800 gpd	1,753,008 gpd

b. Recycled Water Pumping Capability

Pepperdine's Meadows pumping station contains four pumps: two with a capacity of 515 gpm and two with a capacity of 575 gpm. With the largest pump out of service the total station capacity is 1,605 gpm. The MDD at the Meadows pumping station is 228 gpm. There is a surplus of 1,377 gpm with the largest pump out of service. Thus, a less than significant impact is anticipated.

6. Fire Flow System Capability

The Draft EIR conservatively estimated that the University would require a fire flow of 5,000 gpm for five hours. (Note: fire code officials shall determine final fire flow requirements for buildings or portions of buildings and facilities.) It is anticipated that the University would have more than enough potable water storage capacity to accommodate the required fire flow. Further, the Project component designs would incorporate and meet all fire safety features in

accordance with applicable County Fire Safety Code requirements and ordinances pertaining to the adequacy of fire-flows, the use of sprinklers in new construction, and the location of adequate numbers of fire hydrants. All domestic water service meter and fire protection connections shall be equipped with a backflow device to prevent contamination of the public water system. Provided that the project meets fire flow requirements as determined by the LACFD, impacts would be considered less than significant.

7. **Wastewater**

a. Impacts on Off-Campus MMWRP and TWRP Facilities

The current design capacity of the MMWRP is 200,000 gpd. The University currently is entitled in perpetuity to 165,000 gpd. The current total entitlement for the Malibu campus at TWRP is 153,932 gpd. The projected Malibu campus academic season daily flows are approximately 209,178 gpd with 70,290 gpd sent to the TWRP and 138,888 gpd sent to the MMWRP. Using the total current minimum entitlement of 318,932 gpd for the Malibu campus, the University has approximately 26,112 gpd of excess capacity at MMWRP, more than 83,642 gpd of excess capacity at the TWRP, and a total excess entitlement of more than 109,754 gpd.

Total future academic season wastewater flow ranges between 209,178 gpd and 234,395 gpd, depending on the generation rates used. The total minimum entitlement capacity is 318,932 gpd. Therefore, regardless of the method used, future projected flows fall below the entitled capacity, and entitled capacity is within the limits of total facility capacity. In the event of peak wet weather loading due to storm events at the Malibu Campus a total of 435,090 gpd may be exerted on the WFES. To ensure flow is delivered at the appropriate rate a maximum of 165,000 gpd will be diverted to the MMWRP and the remaining 270,090 gpd will be pumped to the TWRP. As a customer of Las Virgenes Municipal Water District ("LVMWD"), there is sufficient capacity through existing infrastructure to handle a maximum day event under peak loading conditions.

The net increase of the Project's wastewater generation would not exceed any existing entitlements or agreements between Pepperdine University and the LVMWD or the MMWRP. As such, there is a considerable amount of available entitled capacity at the MMWRP and the TWRP even after the implementation of the CLP. Furthermore, the estimated 39,914 gpd of wastewater generated by the Project that would be sent to the TWRP would represent approximately .60 percent of the current 6.6 million gpd of excess capacity at the TWRP. Under the future proposed capacity of 12 million gpd at the TWRP, the Project would represent approximately 1.6 percent of the future 2.5 million gpd of excess capacity. Therefore, the TWRP is anticipated to have adequate capacity (even after reductions to capacity at the plant) to serve the Project. As such, the Project impacts to off-campus wastewater facilities are expected to be less than significant.

8. **Solid Waste**

a. Construction Period Impacts

Much of the solid waste generated from construction of the Project is recyclable, such as wood and metal scrap and formed construction board (cement and dry wall board). The CLP is expected to comply with the County's mandatory Construction and Demolition Debris Recycling and Reuse Program. As part of the Student Housing Rehabilitation, the six existing student-housing buildings within the Outer Precinct would be demolished. Three of the buildings would be demolished in the first phase of the CLP and three in the second. Demolition is expected to produce up to 200 tons of construction debris per building, for a total of 1,200 tons. It is expected that at least 80 percent of the demolition debris, or 960 tons would be diverted from landfills through recycling efforts, and 240 tons would be disposed at a landfill. Demolition during each phase (three buildings) could create up to 120 tons. If all 120 tons were disposed of at an area landfill on one given day, the amount would be well within the daily limits and capacity. The 80 percent diversion estimate is based on recent campus demolition/construction projects where the University's Construction and Campus Planning department cites an 80% diversion rate, including the current Elkins Project, which concluded in August 2009. In addition, construction at the Town Square is expected to produce up to 105,000 tons (70,000 cubic yards) of soil. The soils would first be used on campus as fill as needed; however, should it be determined to contain excess aggregate, rendering it unsuitable for fill, the soils would be hauled to a construction aggregate mining and/or processing facility for processing. Since construction aggregate material is considered a high value commodity locally, it is expected that this construction component would not require landfill capacity for disposal. Minimum quantities of waste would be generated by construction workers at the site, which is mostly food related (food scraps and various food packaging materials). Given the excess in permitted daily capacity at the Sunshine Canyon, Calabasas, and Chiquita landfills, construction waste from the CLP that cannot be recycled is not expected to exceed the capacity of the landfills. Therefore, the CLP is not expected to result in significant construction related solid waste impacts.

K. Land Use

1. **Land Use Compatibility**

a. Onsite

The CLP is made up of six components within the existing core campus. The CLP consists of proposed improvements involving athletic and residential facilities, parking structures, and other facilities situated within the already-developed campus core. The proposed athletic, recreational, student housing, and support facilities would continue the types, mix, density, intensity, massing, and organization of uses that have historically been established as part of the developed University. In addition, the CLP would not substantially alter the existing arrangement of land uses on campus in a way that would introduce on-site compatibility impacts among internal uses. As a consequence, the project would result in a less than significant impact to on-site land uses.

b. Adjacent Land Uses

With the exception of the single-family residences comprising the MCE, all other off-site residential, commercial, public uses, parklands and open spaces are separated from the CLP components by a substantial distance. The Project components are infill projects located within the interior of the developed campus among existing campus structures and facilities and will not introduce any new uses to the University. Construction of the Project would upgrade existing student housing, athletic and recreation fields, and parking facilities. In addition, the proposed AEC would relocate events to a more interior campus location, which is farther away from MCE, as compared to the Firestone Fieldhouse venue. Implementation of the proposed improvements would increase the density of student housing, event visitors, and parking spaces. The CLP provides additional residential housing (i.e., 468 additional beds) without increasing enrollment, thereby eliminating the daily commutes of approximately 468 students. Under typical operation, the CLP would eliminate 744 daily trips from local roadways. This reduction of daily trips would result in a reduction of existing University traffic, along with its associated noise and air emissions. Other air, noise, and traffic impacts associated with events and stationary sources on the adjacent MCE are anticipated to be less than significant in these findings. In addition, off-site lighting impacts are also anticipated to be less than significant (*see* Draft EIR Section 5.7]. Consequently, the Project would not result in a significant land use compatibility impact with respect to adjacent land uses.

2. Consistency with Governing Plans, Policies, and Ordinances

a. County of Los Angeles General Plan

The County's General Plan land use designation for the Project site is (P) Public/Semi-Public. This designation allows for "major existing and proposed public and semi-public uses, including airports and other major transportation facilities, solid and liquid waste disposal sites, utilities, public buildings, public and private educational institutions, religious institutions, hospitals, detention facilities and fairgrounds." The CLP's proposed uses (i.e., parking, athletic, recreational, housing, and other facilities for a private education institution) are permitted by the County's General Plan (P) Public/Semi-Public land use designation. As outlined in detail in Draft EIR Table 5.11-1, the CLP would be consistent with all applicable General Plan policies. As such, project impacts are considered to be less than significant.

b. County of Los Angeles Malibu Local Coastal Program Land Use Plan

Regarding the County of Los Angeles Malibu Local Coastal Program Land Use Plan (County Malibu Land Use Plan), the only area of potential conflict involves the General Goals and Policies, namely Policy 138b, which states that "Buildings located outside of the Malibu Civic Center shall not exceed three (3) stories in height, or 35 feet above the existing grade, whichever is less."

The County Board of Supervisors approved and Coastal Commission adopted Long Range Development Plan/Specific Plan for Development authorizes heights greater than 35 feet

on the Pepperdine campus, ranging from 40 feet to 80 feet in height for specific approved buildings and a theme tower 125 feet in height.

DEIR Table 5.11-2 identifies applicable County of Los Angeles Malibu Local Coastal Program Land Use Plan policies and assesses the project's consistency with each, and as discussed in detail in DEIR Table 5.11-2, the CLP would be consistent with all applicable County Malibu Land Use Plan policies. As such, project impacts are considered to be less than significant.

c. Los Angeles County Zoning Code

The CLP's proposed uses (i.e., parking, athletic, recreational, housing, and other facilities) are permitted by the County Zoning Code designation of A-1-1-DP. Under the Development Program Zone ("DPZ") designation, the Project will be submitted to the County for a CUP in consideration of environmental analyses regarding traffic, sewage, views, public infrastructure costs, alternatives and other subjects that are contained in this EIR. The County will also consider consistency with the conceptual long-term development plans of the University as set forth in the University Specific Plan for Development (1982-1997) and as approved through the DPZ. The CLP components include uses and densities that fit within the University's long-term development plans as previously conceptually approved by the County. The Project, with 37.9 acres and 394,137 net new square feet of facilities, covers fewer acres and includes fewer facilities than approved under the DPZ, which currently allows approximately 745,000 square feet of structures that have never fully been realized. Consequently, the Project would be consistent with the County's Zoning Code.

d. California Coastal Commission Long Range Development Plan ("LRDP")

The 1990 approved LRDP includes the Specific Plan for Development ("SPD") which includes numerous facilities and approximately 1.2 million square feet of new University development and support facilities for up to 5,000 FTE students. Only a portion of the approved facilities have been constructed, leaving approximately 770,000 square feet of approved LRDP development that has not been realized within the campus.

The Project includes infill academic, athletic, parking and support facilities that are contemplated within the LRDP/SPD and include a total infill development of 394,137 net new square feet, which is significantly below the approximately 770,000 square feet of remaining development approved in the LRDP/SPD. Any modifications to the LRDP/SPD to update facilities to reflect exact CLP locations and size will be processed by the Coastal Commission, but the types of uses and level of development were contemplated by the LRDP/SPD. The University is requesting an amendment to the LRDP/SPD to address only the specific adjustments that will be required to implement the CLP; as such, no significant impacts would result. The amendment consists of the following:

- Certain buildings have been consolidated and relocated to the interior of the campus to minimize impacts and provide an efficient design.

- In a few instances, heights have been adjusted to accommodate the as-designed building heights and architectural elements of the CLP components.
- The specific configuration and uses of a few facilities have been altered slightly to provide for more efficient uses.
- Parking has been consolidated where possible.
- Where components require incremental additional square footage above that included for a certain building in the LRDP/SPD, surplus unused density available under other LRDP/SPD facilities will be reallocated to the CLP component to account for the deficit.

The proposed allocation of certain LRDP/SPD facilities to the CLP would also relocate the approved land uses associated with those facilities to the CLP component areas.

Detailed consideration of the consistency of the Project development with applicable policies contained in the University LRDP/SPD is contained in Draft EIR Table 5.11-4. As explained that Table, the CLP would be substantially consistent with all applicable LRDP/SPD policies, and therefore no significant policy consistency impacts would result.

e. Southern California Association of Governments ("SCAG") Regional Polices

The Campus is located within the Las Virgenes subregion of the six-county Southern California Association of Governments (SCAG) region. SCAG is a "joint powers agency" with responsibility relative to regional issues that cross jurisdictional boundaries. The SCAG region encompasses a population exceeding 18 million persons in an area of more than 38,000 square miles.¹¹ The six neighboring counties that comprise the SCAG region include: Orange, Riverside, Ventura, Los Angeles, San Bernardino, and Imperial counties. In 2009, SCAG's Community, Economic, and Human Development ("CEHD") Committee and Regional Council took action to accept the 2008 Regional Comprehensive Plan ("RCP"), which shall serve as the advisory document for local governments in the SCAG region.¹² The RCP is a major advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The 2008 RCP serves as a voluntary advisory document to local agencies within the Southern California region for use in preparing local plans and/or addressing local issues of regional significance. The RCP identifies voluntary best practices to approach growth and infrastructure challenges in a method that is both integrated and comprehensive. It is important to note that the 2008 RCP, although accepted by the CEHD Committee and the Regional Council, has not been formally adopted. Because of its advisory nature, the RCP is not utilized in SCAG's Inter-Governmental Review ("IGR") process.¹³ As such, the Regional Council directs government staff to not use the 2008 RCP for consistency reviews of regionally significant projects. In the interim, the SCAG website offers a table of

¹¹ Southern California Association of Governments, "About Us," accessed on July 27, 2009 from: <http://www.scag.ca.gov/about.htm>.

¹² The 2008 Regional Comprehensive Plan shall replace the 1996 Regional Comprehensive Plan and Guide ("RCPG"). In the interim, SCAG recommends a review of regional policies contained on their website at <http://www.scag.ca.gov/index.htm>.

¹³ E-mail communication with Jennifer Brost Samecki, Senior Regional Planner, SCAG, June 25, 2009.

regional policies that lead agencies can utilize to demonstrate a project's consistency with SCAG policies.¹⁴

Detailed consideration of the consistency of the Project development with applicable SCAG Policies is contained in Draft EIR Section 5.10 and demonstrates that the CLP is consistent and supportive of SCAG policies.

L. Global Climate Change Impacts

The University currently features a wide range of sustainable elements that reduce greenhouse gas emissions. While not likely to be an individually substantial source of greenhouse gas emissions, emissions from the Project would combine with emissions from throughout the Earth to cumulatively contribute to global climate change. To address global climate change impacts, California has set goals of returning to 1990 greenhouse gas emission levels which, for California, and for a project such as the CLP, means 29 percent below "business as usual" in 2020. Project design features incorporated in the project would reduce its contribution to greenhouse gas emissions by 31% percent below "business as usual" emissions. As such, the project would implement its fair share of the State's program designed to mitigate cumulative global climate change impacts. Details on how the CLP would achieve the reductions over "business as usual" are contained in Section 5.12 of the Draft EIR. The Table below provides a summary of the CLP Greenhouse Emissions.

Comparison of CLP Greenhouse Gas Emissions

Comparison of CLP Greenhouse Gas Emissions

Emissions Source	Annual Carbon Dioxide Equivalent Emissions (metric tons CO ₂ e)			Percent Reduction
	Business as Usual	"As Proposed"	Net Change	
Construction Emissions				
Annualized Construction	219.3	219.3	0.00	0%
Direct GHG Emission Sources				
Motor Vehicles (University Owned)	34.53	34.53	0.00	0%
Natural Gas	587.06	587.06	0.00	0%
Indirect GHG Emission Sources				
Electricity	1,988.83	1,341.75	-647.08	-33%
Water/Wastewater	76.87	36.42	-40.45	-53%
Solid Waste	232.16	139.30	-92.87	-40%
Motor Vehicles (Students, Staff, Visitors)	-638.74	-638.74	0.00	0%
Total	2,500.02	1,719.62	780.40	-31%

Therefore, in accordance with CEQA Guidelines section 15130(a)(3), the Project's contribution to global climate change impacts is considered to be less than significant.

¹⁴ *Id.*

VIII. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION, WHERE MITIGATION NONETHELESS PROVIDED TO FURTHER REDUCE IMPACTS

The following effects associated with the Project were analyzed in the EIR and found not to be significant prior to mitigation. Nonetheless, mitigation measures have been incorporated to further reduce these effects for water quality, visual resources and aesthetics qualities, and traffic and access.

A. Water Quality

1. Hydrology and Site Drainage

a. Marie Canyon Debris Basin Relocation

The existing Marie Canyon Debris Basin receives runoff from approximately 165 acres of natural land. During a capital storm event (50-year), the facility is estimated to intercept approximately 8,780 cubic yards of debris from entering the storm drain located within Huntsinger Circle based on the A.C. Martin report and the independent analysis performed herein.

In general, the proposed basin will remain in the area but re-located upstream approximately 400 feet. The proposed inlet pipe will require 110 lineal feet of storm drain pipe to be removed and increased in size to accommodate the outflow condition requirements. The CLP will replace the debris basin in a manner that ensures that the hydraulic regime, debris interception and overall stability of the area remain essentially the same or improved from the current condition.

The hydraulic regime of the detention basin will remain essentially the same as the current condition. The proposed detention system will be designed to detain and attenuate the existing 50 year frequency flowrates of 263 cfs and intercept 8,780 cubic yards. SEC Civil Engineering has prepared plans and calculations that demonstrate that the debris basin is capable of intercepting 9,100 cubic yard of debris storage. The design also provides a total of 32,000 cubic yards of storage capacity in a full condition at the top of the levee. In addition, in the event of catastrophic event, the recreation field provides a storage capacity of 91,000 cubic yards assuming a 5 percent debris cone. However, the presence of a large landslide complex along the western slope potentially could destroy the debris basin.

Stoney-Miller (2010) analyzed the potential for the reactivation of the western basin during a period of intense rainfall, such that the western slope would fail, to evaluate the potential impacts. The existing western slope is approximately 150 feet in height, and utilizing the standard of practice for these types of large complexes, we would generally anticipate that the run-out would be one-half the slope height. The net result would be a translation of approximately 75 feet, which would reduce the basin width. SEC has proposed to relocate the outlet structure to the east and raise the elevation from 8 to 10 feet in height. This improvement reduces the potential adverse impacts and more likely than not allows the system to remain functioning in the event of a failure.

Given the nature and understanding of the geologic conditions at the site, in the unlikely event that the landslide is mobilized, it is more likely than not that the slide activation would not occur simultaneously with the peak runoffs. The nature and disposition of the landslides in the area tend to be slow-moving slides that occur as a result of high groundwater, pore pressure build up several weeks to several months after high intensity, long duration rainfall. Therefore, it is highly likely that sufficient lead time will occur to allow for proper maintenance.

In the event that the debris basin is significantly impaired or destroyed, removal of debris could be impossible or not feasible. The removal of slide debris could continue to destabilize the upper slopes, and therefore, it would be necessary to leave the debris in place. In such a condition, the following measures could be implemented: First, a retention structure could be installed at the southern location of the basin to the required heights to satisfy the basin capacity requirements. Second, the storm drain system could be relocated to a higher elevation and lower elevation to accommodate flow intercept. Third, the basin side slopes could then be stabilized and concrete lined to meet County requirements.

The overall flowrates will remain generally the same; therefore, the downstream facilities system will not be surcharged and will not require upgrading or improving. During final design, it will be necessary for the design to ensure that the basin shape, depth and general geometry be designed to ensure that the inlet provide similar hydraulic characteristics to ensure that the downstream facilities are not be adversely impacted or surcharged. This will be accommodated by providing hydraulic modeling during final design to verify these conclusions.

Since the basin will be replaced in a manner that provides for similar hydraulic conditions and flow regimes, and the inlet pipe will satisfy all County requirements, the impact is designed to be less than significant.

Since the basin has performed well over the past, the size is increasing and the estimated storage requirements (see Draft EIR Appendix C) have been calculated to be more than adequate, the impact is considered less than significant. Although the proposed basin will be designed in such a manner in conjunction with the surrounding improvements that the impact is deemed to be less than significant, the following mitigation measure shall be implemented to further reduce potential impacts for Component 5, implementation of potential mitigation alternatives are recommended.

(1) Mitigation Measures

See Mitigation Monitoring Report Program (“MMRP”) MM-5.2-10, MM-5.2-11 for applicable mitigation measures.

2. Groundwater

a. Groundwater Elevation and Gradient Impacts

It is anticipated that the relatively small impacts to groundwater recharge resulting from CLP construction will have a negligible effect on groundwater elevation and gradient.

Sub-drains installed around the subterranean structure planned at Component 4 may potentially remove a large amount of water (up to 80 AF per year) from the subsurface in that

location. If this occurs, it would likely impact down-gradient water levels, gradient, and flow rates. However, these estimates are based on short-term monitoring of flow from a near-surface fracture encountered during geotechnical investigations. Because the fracture was encountered above the regional water table, the water flow observed is likely emanating from a localized fracture system. If the foregoing is the case, it would be unlikely that water would flow at such a rate for long periods of time on a regular basis. Down-gradient areas include the Meadows and areas south and east of the campus. A decline in water levels and or gradient in these areas would result in a decrease of groundwater movement from beneath campus toward South Winter Mesa and the vacant property east of Pepperdine. There are no adverse effects of a decrease in migration of groundwater in these directions, as groundwater in the areas is not used for private or public water supply. Therefore, impacts associated with groundwater elevation and gradient are considered less than significant. Nevertheless, Mitigation Measure 5.2-12 is recommended as a precautionary measure for the University to monitor the seep and to develop a contingency plan to dispose of up to 80 AF per year of water.

(1) Mitigation Measures

See MMRP MM5.2-12 for applicable mitigation measure.

B. Visual Resources and Aesthetic Qualities

1. **Light and Glare**

a. Contrast

Brightness contrasts in excess of 30:1 constitute high contrast or glare that would result in a potentially significant impact.

The CLP components result in decreased contrast, and glare when compared to existing conditions at all but one of the studied Receptor Sites. Of the fifteen Receptor Sites, only two showed contrasts in excess of 30:1, despite the fact that each represents a relative improvement over existing conditions. Receptor Site B received a calculated contrast ratio of 41.8:1 and Receptor Site M received a calculated contrast ratio of 32.6:1, both above the threshold of 30:1. The future contrast ratio at Receptor Site B represents an improvement from the existing measured contrast ratio of 90.9:1. At Receptor Site M, the existing condition calculated contrast level of 36.9:1, such that the calculated future ratio of 32.6:1 would represent a relative decrease.

The high contrast ratios at Sites B and M result from elevated luminance levels predicted to occur at Component Site 3. The lighting for Component 3 is being proposed in connection with the requirements of the NCAA, which provides standards for nationally broadcast sporting events.

As part of the CLP, the NCAA-required levels of lighting proposed for Component Site 3 (upon which the future conditions lighting analysis was conducted) would only be employed when sports games played at the component site would be broadcast on national or regional television. The existing soccer program hosts approximately 10 games per year. Considering the infrequency that collegiate soccer games are televised, it would be a rare occurrence for the site to require the full maintained illuminance level (100 fc) of the athletic field lighting. During the

majority of the time, when the field is devoted to ordinary intercollegiate play and practices, the site would not require the full luminance power of the athletic field lighting and light impacts would be below the threshold of significance for Receptor Sites B and M. During these times of normal operations, the contrast ratio for Receptor Site B falls below the threshold level (of 30:1) to a level of 28.1:1 and the ratio at Receptor Site M is 26.1:1, below the threshold of 30:1. Thus, the reduced maintained illuminance level of 50 fc is proposed for the athletic field at Component Site 3 at all times when televised broadcast light levels are not required.

Mitigation measures will require certain directional lighting methods at Component 3, such as shielding and cut-off type light fixtures to minimize glare and incidental upward directed lighting effects that will substantially reduce the potential for lighting impacts.

The Project would result in reduced contrast ratios at nearly all Receptor Sites; however, at Receptor Sites B and M, contrast ratios would still exceed the threshold of 30:1 when powered to a maintained illuminance level of 100 fc. As indicated above, this level is only required for games that are to be nationally or regionally broadcast. Because this is likely to be an infrequent occurrence (likely less than 10 nights, the great majority of the time the lights are in use they will be operating at the lower maintained illuminance level of 50 fc. Because the contrast ratios at these locations are below existing conditions, impacts are considered to be less than significant however, because they would exceed a 30:1 contrast ratio, mitigation is provided. Implementation of mitigation measures will reduce contrast at Receptor Sites B and M to below the measurements used to establish the threshold.

In summary, the Project is not expected to result in significant impacts related to visual character, quality, or compatibility. However, the following measures are recommended to further reduce impacts (note some mitigation measures listed below may reduce impacts on the visual resources and aesthetic qualities determined not be significant and summarized in Draft EIR Section 5.7.

(1) Mitigation Measures

See MMRP MM5.7.1-1, MM5.7.1-2, MM5.7.1-3, MM5.7.1-4, MM5.7.1-5, for applicable mitigation measures.

C. Traffic and Access

1. Traffic Congestion

As proposed, the CLP at the conclusion of Phases I and II would reduce traffic entering/leaving the campus and therefore generate a beneficial impact to the surrounding intersections identified for analysis. Reduced traffic is achieved because the CLP includes 468 new student beds and no increase in student enrollment. This would result in an increase in the number of students living on-campus and a corresponding decrease in the number of students living off campus, thus reducing student commute trips. The CLP intends to fulfill the University's strategic student housing plan that aims to provide housing for 75% of the Seaver College student body and create a housing model that will encourage non-freshman students to reside on campus. The CLP also intends to enhance the campus life experience of its students and community by providing new and upgraded athletic, recreation, wellness, support programs,

etc., which will reduce the need for students and staff to travel off campus to meet such needs and interests. However, the reduction in daily and peak hour traffic in Phase I is predicated on the assumption that the proposed construction schedule presented in Section 3.0 would be followed thereby constructing new student housing prior to the occupancy of the AEC. In order to maintain the conclusion of a reduction in daily and peak hour traffic, the project must maintain a minimum of 100 net new beds. The Draft EIR ensures this by requiring mitigation for Phase I.

(1) Mitigation Measures

See MMRP MM5.8.1 for applicable mitigation measure.

IX. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

A. Geology and Soils (Slope Stability-Geological Formations and Artificial Fill Materials)

1. Description of Significant Effects

Slope stability concerns (both gross and surficial) can be for; (a) natural and man-made slopes, (b) geologic and artificial fill materials, and (c) temporary and permanent slope configurations. Component 5 (Enhanced Recreation Area) affects natural and man-made slopes in prevailing geologic formations and fill materials, resulting in both temporary and permanent new slope conditions. SMCI (2009) analyses indicate that the stability of certain ancient landslide deposits would not be degraded (made worse) by the proposed grading. However, the remedial grading leaves each of the landslide masses with an overall static factor-of-safety that would remain less than the recommended 1.5 standard that is applied for structural and life-safety considerations. These areas of the development are within designated Restricted Use Areas where no permanent buildings would be allowed. Special accommodations are made for the work site stability of temporary slopes (e.g., adherence to prescribed slope angles and in-grading inspections).

All other CLP components, particularly Components 1, 3, and 6, have lesser slope stability concerns for man-made slopes in geologic and artificial fill materials in both temporary and permanent slope configurations. Subterranean parking structures at Components 2 and 4 would have temporary cut slopes in Sespe Formation bedrock and artificial fill. Accommodations are made for temporary slopes (e.g., prescribed slope angles and in-grading inspections) and permanent slopes (e.g., slope angles and retaining structures). All potential slope stability impacts are considered to be potentially significant.

Proposed remedial grading activities associated with the Component 1 - Standard Precinct and Component 6 - School of Law Parking Structure have not been evaluated based on recent geotechnical studies. While it is feasible for potential slope stability impacts to be mitigated and reduced to less than significant by implementing remedial measures outlined generally in the older geotechnical reports, it is possible that additional investigation and analysis will be necessary in order to provide sufficient data for review and approval by the County of Los Angeles; therefore at these two components there would be significant adverse impact that can be mitigated to less than significant.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to slope stability, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The proposed remedial grading methods are likely to preserve the existing landslide factors-of-safety. Also, grading for the northeast cut slopes would be in Sespe Formation bedrock with in-to-slope bedding with a grossly stable configuration. While the proposed grading may be adequate for the non-structural application (i.e., the Enhanced Recreation Area and debris basin), such a determination about the adequacy of the proposed design would be based on a detailed review by the County of Los Angeles prior to approval and implementation. EIR mitigation measures will ensure this review and approval prior to implementation.

Further, the EIR requires extensive mitigation measures to address potentially significant impacts relative to slope stability. In conjunction with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing slope stability, any potential effects related to slope stability should be reduced to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on slope stability, please see Section 5.1 of the Draft EIR.

B. Geology and Soils (Shallow Groundwater)

1. **Description of Significant Effects**

Geotechnical investigations for Components 1, 2, 3, 4, and 5 encountered light to heavy seepage during geotechnical drilling, and measured “groundwater” in borings within hours of completion. None of the geotechnical borings were utilized as on-going monitoring to determine the consistency of water levels within the CLP area. Shallow groundwater in the CLP area is considered a nuisance with no beneficial use. These geotechnical reports indicate that the water is primarily “perched” water (i.e., small accumulations of water impeded by layers of artificial fill or overlying impervious geologic materials) or is water seepage along identified fault contacts or shear zones. Seasonal rainfall fluctuations would be expected to contribute to additional perched water conditions in localized areas. The presence of these relatively limited volumes of shallow groundwater is considered to be a potentially significant impact.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to shallow groundwater, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to shallow groundwater would be less than significant with implementation of the mitigation measures referenced above. By ensuring compliance with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing shallow groundwater, the mitigation measures would reduce any potential effects related to shallow groundwater to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on shallow groundwater, please see Section 5.1 of the Draft EIR.

C. Geology and Soils (Earthquake Activity)

1. **Description of Significant Effects**

The CLP area is susceptible to ground shaking from numerous faults in the region; this is not unlike most other sites in southern California. As seen in the Northridge earthquake, strong groundshaking near the earthquake epicenter can lead to severe property damage and injuries. It appears that proper consideration of the probable earthquake shaking values, proper application of the California Building Code regulations to the seismic design, proper implementation of the design specifications during construction, and proper inspection can minimize the potential for: (1) the collapse of buildings; and (2) the failure of proposed fill slopes, buttressed cut/fill slopes, retaining walls, and landslides abutting Component 5 (Enhanced Recreation Area). However, damage, injury, and slope failures may still occur potentially affecting both CLP and adjacent locations. This potential for seismically induced slope instability is a significant adverse impact that can be mitigated to less than significant levels.

Faults crossing the CLP have been classified as inactive based on previous campus investigations conducted before extensive grading and development covered geologic formation outcrops. The component-specific geotechnical reports have relied on these previous studies and have not analyzed the mapped faults as to activity levels or more precise locations.

Liquefaction can cause substantial local settlement where liquefiable substrates are overlain by heavy loads. Lateral spread landslides are possible on shallow slopes.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to earthquake activity, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Fault Lines

The totality of previous studies suggest the faults are not active and should pose no fault rupture hazard. If future studies were to determine that fault setbacks or design accommodations are required, the County would review and recommend the appropriate course of action. Therefore, potential for seismically induced fault rupture is a significant adverse impact that can be mitigated to less than significant levels.

Liquification

Based on the data reviewed, the potential liquefaction of natural deposits is considered minimal to non-existent. Proper drainage in thick artificial fill masses would be maintained, therefore hydrostatic pressures should not build up to cause local settlements or slope failures due to saturation of fill materials. Because subdrains are proposed by the CLP, this would be a significant adverse impact that can be mitigated to less than significant levels.

Summary

All potentially significant impacts relative to earthquake activity would be less than significant with implementation of the mitigation measures referenced above. By following mitigation measures, ensuring compliance with the implementation of remedial measures outlined in the geotechnical reports approved by the County of Los Angeles governing earthquake activity, and the geotechnical make up of the site, any potential effects related to earthquake activities will be less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on earthquake activity, please see Section 5.1 of the Draft EIR.

D. Geology and Soils (Flooding Attributable to Dam/Levee Failure)

1. **Description of Significant Effects**

Small, localized flooding may occur immediately adjacent to, and downstream of small water reservoirs or dams. A 1.6 million gallon potable water tank and a 100,000 gallon reclaimed

water tank are located within the GCP area approximately 2,000 feet west of the CLP area at higher elevations. Water from the 3 million-gallon water tank northeast of the CLP would flow to the east away from the CLP. The modified debris basin north of Component 5 (Enhanced Recreation Area) is proposed to detain storm water, sediment, and debris. Debris dam failure is considered to be a potentially significant impact.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to flooding attributable to dam/levee failure, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Debris dam failure is considered to be a potentially significant impact, which can be mitigated to less than significant levels through proper design methods, earthwork construction, and inspection. By ensuring such proper design methods, earthwork construction, and inspection governing earthquake activity, the mitigation measures would reduce any potential effects related to flooding attributable to dam/levee failure to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on flooding attributable to dam/levee failure, please see Section 5.1 of the Draft EIR.

E. Geology and Soils (Geotechnical Impacts)

1. **Description of Significant Effects**

When man-made structures are built over areas that may experience consolidation of over an inch or so, severe damage can occur. Due to the thick fill masses placed in the CLP areas in the 1970s and 1980s, and the presence of consolidation-prone alluvium and landslide deposits, the potential exists for some fill settlement particularly where more fill is placed over the old fill or where heavy building loads are applied. Differential settlement could potentially occur across transitions between soils or bedrock of differing densities and bearing capacities, as a result of the presence of ridges and ravines onsite and proposed grading. Under dynamic conditions, this potential would increase near cut and fill contacts where the differential movement can be several inches if fill materials were compacted to 90 percent.

Settlement analyses were conducted to determine the total potential settlement of thicker fills and fills over landslide deposits. This is most critical for the chiller tank structure located within Component 5, since it will be located over several tens of feet of older artificial fill.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to geotechnical impacts, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

SMCI (2009) has provided recommendations for remediating soils issues at Component 5. Based on the reports reviewed, or that would be prepared and reviewed by the County of Los Angeles, settlement and consolidation-related impacts are considered potentially significant but mitigable to less than significant levels. The mitigation measures outlined referenced above ensure these steps are taken such that any potential significant impacts will be mitigated.

5. **Reference**

For a complete discussion of Project impacts on geotechnical impacts, please see Section 5.1 of the Draft EIR.

F. Geology and Soils (Erosion)

1. **Description of Significant Effects**

During wet winters, concentrated surface water flow can, over time, cause rilling and possible washouts of substantial slope areas whether composed of natural soils or artificial fill. Onsite soils are subject to high to very high rates of erosion and proposed grading would expose additional soils to erosive processes. In particular, the proposed grading plan would result in fill slopes of ratios of 2:1, which could be subject to accelerated processes of wind and water erosion during and immediately following construction.

2. **Mitigation Measures**

See MMRP MM5.1-1 – 5.1-18 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to erosion, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Potentially significant impacts relative to erosion are impacted by the Project's grading. The mitigation measures are designed to avoid these potential significant effects by addressing slope ratios and resulting accelerated processes of wind and water erosion during and

immediately following construction, ensuring that any potential significant impacts will be less than significant.

5. **Reference**

For a complete discussion of Project impacts on erosion, please see Section 5.1 of the Draft EIR.

G. Water Quality (Off-Site Drainage Facilities)

1. **Description of Significant Effects**

The on-site modifications proposed for the project would consist of altering the existing drainage and ground surface areas. The sum of the Project components and associated improvements would locally alter drainage patterns and result in an increase in the overall amount of impervious surfaces by approximately 3.81 acres. An increase in the impervious surface area can have a significant impact on the hydrologic characteristics of a site. An increase in the impervious surface can result in a faster Time of Concentration (“TC”) resulting in higher volume of runoff and higher peak flows. This has the potential to impact local and downstream drainage facilities.

The hydraulic analysis of the Project indicates that the peak flow rate will be increased from 1,190 cfs for the existing condition to 1,250 cfs for the proposed improvements. In general, no significant increase in runoff should be allowed to extend offsite, which may potentially impact offsite property or change the drainage regime. An increase in overall storm water runoff would be considered a potentially significant impact to downstream facilities. Two impacts have been identified in this analysis:

The first impact is nominal increase on the proposed flowrates as a result of the increase in impervious surface. The downstream arch structure at PCH has a capacity of 2,300 cfs based on the A. C. Martin report and the analysis herein. This value was used as a baseline value and no net increase is considered acceptable. Therefore, a detention facility or series of detention facilities that are equivalent to 18,000 cubic feet will be required in the final design to ensure that no net increase in flowrates occurs.

The second impact is a result of the increase in impervious surfaces as a result of the proposed buildings and sidewalks. Mitigation measures have been provided that will reduce these impacts to acceptable levels. This will be accomplished by re-directing flows to proposed swales, catch basins and pipes. This method results in longer flow paths, lower flow velocities and an overall reduction in peak flowrates.

2. **Mitigation Measures**

See MMRP MM5.1-2 – 5.1-11 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to off-site drainage facilities, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Mitigation measures have been provided that will reduce impacts to acceptable levels. This will be accomplished by requiring the re-directing flows to proposed swales, catch basins and pipes. This method results in longer flow paths, lower flow velocities and an overall reduction in peak flowrates reducing impacts to less than significant levels. Mitigation measures requiring managers and monitoring further ensures reduction of impacts to less than significant levels for the life of the CLP.

5. **Reference**

For a complete discussion of Project impacts on off-site drainage facilities please see Section 5.2 of the Draft EIR.

H. Water Quality (Erosion and Siltation)

1. **Description of Significant Effects**

Storm water runoff caused by construction activities or in natural/improved channels can result in erosion and siltation. In addition, increases in runoff have the potential to 1) increase flow velocities and 2) increase sedimentation and pollution transportation capacity. Based on geotechnical analysis and observations of onsite characteristics, the soils exhibit a moderate to high erosive potential in areas of concentrated flow. The potential increase in stormwater runoff could potentially increase the ability of off-site flows to erode and/or silt up downstream channels or outlet areas. The increase in overall stormwater runoff is considered a potentially significant impact (Class II).

2. **Mitigation Measures**

See MMRP MM5.2-1, MM5.2-2, MM5.2-3, MM5.2-6, and MM5.2-9 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to erosion and siltation, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The mitigation alternatives listed in mitigation measures above would reduce impacts to less than significant levels through mandatory plans, best management practices, and monitoring that address surface water quality from erosion and siltation.

5. **Reference**

For a complete discussion of Project impacts on erosion and siltation please see Section 5.2 of the Draft EIR.

I. Water Quality (Impacts of the Reduction of Pervious Surfaces)

1. **Description of Significant Effects**

Implementation of the CLP would result in a reduction in the total amount of pervious surfaces currently located within the project site. The reduction in pervious surfaces would result in an increase in pollutant parameters over the existing conditions. Once constructed, the CLP would contribute to the degradation of existing surface water quality conditions, primarily due to the following:

- Street-generated pollutants (.e.g., oil and grease, tire wear, etc.);
- Fertilizers and pesticides associated with landscaping maintenance; and
- Particulate matter from dirt and dust generated onsite.

Pollutant loadings for all nine identified pollutant parameters would increase. However, because of the type of development and based on comparisons to similar developments, the original pollutant parameter concentrations are anticipated to be low, and the incremental increases are anticipated to remain below the minimum standards of RWQCB with the exception of oil and grease (State of California, State Water Resources Control Board, 1990). If these increases in oil and grease were allowed to reach the unlined portion of Marie Canyon or the Santa Monica Bay, there would be a potentially significant impact to these receiving waters.

2. **Mitigation Measures**

See MMRP MM5.2-6 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of the reduction of pervious surfaces, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

While implementation of the CLP has the potential to produce significant water quality impacts by reducing pervious surfaces, due to all attendant regulatory controls, design features and mitigation measures that require division of storm flows to grass swales, landscape planters, and underground detention basins, it is not anticipated to generate significant impacts to water quality to downstream resources.

5. **Reference**

For a complete discussion of Project impacts on impacts of the reduction of pervious surfaces please see Section 5.2 of the Draft EIR.

J. Water Quality (Construction Storm Water Pollution Potential)

1. **Description of Significant Effects**

During construction and grading operations of the CLP, there would be a greater potential for sediment production. The soils located within the CLP site have been identified to exhibit moderate to high erosive potential. As such, grading activities associated with the construction period are anticipated to temporarily increase the amount of suspended solids from surface flows derived from the CLP site during a concurrent storm event due to sheet erosion of exposed soil. Additionally, onsite dust control watering activities are also anticipated to contribute marginally to increased sediment loading of surface runoff during dry weather conditions. Project construction activities are also anticipated to result in marginal contributions to surface water flows from wood and other construction related debris and petroleum hydrocarbons from machinery. These potential contributions are considered small and can be mitigated to less than significant with appropriately designed BMPs outline in Mitigation Measures 5.2-1 through 5.2-3, and 5.2-9.

2. **Mitigation Measures**

See MMRP MM5.2-1, MM5.2-2, MM5.2-3, and MM5.2-9 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction storm water pollution potential, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to construction storm water pollution potential would be less than significant with implementation of the mitigation measures outlined above. By ensuring development of appropriately designed BMPs and installing oversight for their

implementation, the mitigation measures would reduce any potential effects related to construction storm water pollution potential to less than significant levels.

5. **Reference**

For a complete discussion of Project impacts on construction storm water pollution potential please see Section 5.2 of the Draft EIR.

K. Water Quality (Surface Water Pollution Potential)

1. **Description of Significant Effects**

The current University development surface water quality, which would include the Project, is assumed to be relatively comparable to that of similar urbanized developments. Surface flows generated by the existing “core” campus are anticipated to contain minor amounts of typical urban pollutants such as: suspended solids, phosphorous, nitrogen, nitrates, copper, lead, zinc, and oil and grease. The occurrences of these particular pollutants are estimated based on the fiftieth percentile of the National Urban Runoff Program (*see* the Draft EIR Section 5.2 for applicable references). These levels are well under the minimum activity levels of concern to the RWQCB. Potential pollutants from the CLP would vary in type and quantity depending upon the stage of development. During construction there would be a greater potential for sediment (sand, silt, and clay) to be eroded from the graded areas before they have been landscaped, paved and/or otherwise fully stabilized. After development, the sediment production would be minimal and the urban pollutants listed above would increase in accordance with their projected campus uses. The production of these potential pollutants is anticipated to remain under the minimal levels outlined by the RWQCB through the use of appropriately designed BMPs. The project’s potential to impact surface water quality is considered significant but mitigable to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.2-1 - MM5.2-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to surface water pollution potential, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

All potentially significant impacts relative to construction storm water pollution potential would be less than significant with implementation of the mitigation measures outlined above. By ensuring development of appropriately designed BMPs and installing oversight for their implementation, the mitigation measures would reduce any potential effects related to surface water pollution potential to less than significant levels.

5. Reference

For a complete discussion of Project impacts on surface water pollution potential please see Section 5.2 of the Draft EIR.

L. Biological Resources (Indirect Impacts-Fuel Modification-Components 1 and 2)

1. Description of Significant Effects

The Component 1 fuel clearance footprint would include 0.35 acres of natural vegetation, including 0.32 acres of chaparral and 0.03 acres of coast live oak woodland, outside of current ornamental landscapes and existing fuel modification boundaries, based on standard minimum fuel clearance requirements. The University's LRDP requires mitigation for the *removal* of upland vegetation, but not for cutting of vegetation for fuel modification purposes. The 0.35-acre area is not known to contain sensitive species or jurisdictional areas, nor is it in an important area for wildlife movement. Potentially occurring sensitive wildlife species would be capable of escaping harm during fuel modification activities. The potential exists for nesting birds to be present in native plant communities within the Component 1 fuel modification footprint during fuel clearance or thinning. Component 1 fuel modification impacts to nesting birds would be potentially significant, but mitigable. Component 1 fuel modification impacts to upland chaparral would be potentially significant, but mitigable. Based on the method for assessing impacts to oak woodlands outlined in the Oak Woodland Impact Decision Matrix (UC Integrated Hardwood Range Management Program 2008), fuel modification activities involving the cutting or removal of live oak trees within the coast live oak woodland would be considered a significant effect. Cutting or removal of the oak trees within the Component 1 fuel modification zone could result in a loss of up to 14% of the oak canopy cover within the woodland. Therefore, fuel modification impacts to the coast live oak woodland would be potentially significant, but mitigable.

The Component 2 fuel clearance footprint would include 0.19 acres of native coastal sage scrub vegetation outside of existing ornamental landscapes and fuel modification boundaries, based on standard minimum fuel clearance requirements. The University's LRDP requires mitigation for the *removal* of upland vegetation, but not for cutting of vegetation for fuel modification purposes. The 0.19-acre area is not known to contain sensitive biological resources, nor is it in important an area for wildlife movement. Potentially occurring sensitive wildlife species would be capable of escaping harm during fuel modification activities. The potential exists for nesting birds to be present in native plant communities within the Component 2 fuel modification footprint during fuel clearance or thinning. Component 2 fuel modification impacts to nesting birds would be potentially significant, but mitigable. Component 2 fuel modification impacts to upland coastal sage scrub would be potentially significant, but mitigable.

2. Mitigation Measures

See MMRP MM5.3-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative fuel modification, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

At such time as Component 1 or Component 2 is constructed, the Draft EIR requires a detailed fuel modification zone to be identified and areas containing native plant communities shall be delineated. Thereafter, to the satisfaction of the Los Angeles County Director of Planning and the Los Angeles County Fire Department, fuel modification shall be avoided within areas containing native plant communities within the fuel clearance footprints of Components 1 and 2, in order to avoid impacts to oak woodland, upland native chaparral and scrub vegetation and nesting birds. If avoidance is not possible, potential fuel modification impacts to nesting birds within native plant communities shall be mitigated by implementation of MMRP MM5.3-10. The cutting of oak trees shall be limited to deadwood removal only.

Further, if avoidance is not possible, and fuel modification would impact native plant communities within the fuel clearance footprints of Components 1 and/or 2, Pepperdine University shall compensate for the impacted native plant community(ies) at a 1:1 ratio. This shall be accomplished by the permanent preservation of in-kind habitat, a conservation easement to protect in-kind habitat, a contribution to an in-lieu fee program, or by on-site or off-site restoration/enhancement of in-kind habitat.

Further in the event this is not possible, other mitigation measures required in the Draft EIR and the limiting of cutting oak trees to deadwood removal ensures impacts will be less than significant.

5. **Reference**

For a complete discussion of Project impacts on fuel modification, please see Section 5.3 of the Draft EIR.

M. Biological Resources (Direct Impacts-Vegetation and Sensitive Plant Communities and Wildlife -Component 5)

1. **Description of Significant Effects**

Vegetation and Sensitive Plant Communities

Construction of Component 5 would expand, relocate and convert existing recreational fields, the existing debris basin, disturbed natural vegetation, and ornamental landscaping to an enhanced recreation field, a relocated stockpile, restrooms, ornamental landscaping, and a resized debris basin. **The Table** below summarizes the acreage of plant community types that would be impacted by grading.

Vegetation Impacted at Component 5-Enhanced Recreation Area

Vegetation	Acreage Within Limits of Grading	% of Component 5 Acreage
Exotic Landscaping or weed Infestation	3.37	78.8%
Chaparral	0.29	6.7%
Coastal Sage Scrub	0.52	12.2%
Riparian	0.10	2.3%
Total	4.28	100%
* All areas at the Component 5 site that would be impacted by the Project have been previously disturbed.		

The University's LRDP/SPD requires restoration/enhancement to mitigate or minimize impacts where development results in the removal of upland vegetation. The intent of this policy is to mitigate or minimize impacts to naturally occurring and native upland vegetation. The removal of native upland chaparral within the grading limits, and conversion of the site to the proposed condition would eliminate the ecological functions and values provided by chaparral at the site, and could facilitate the spread of exotic invasive plant species. Also, upland chaparral vegetation at Component 5 provides food (foraging and hunting habitat), shelter, breeding and rearing sites for wildlife, as well as materials for nest building. The removal of 0.29 acres of native upland chaparral vegetation within the grading limits is a significant, but mitigable impact).

A total of 0.41 acres of the California Encelia Scrub Alliance occurs on the western slope of the debris basin and west of the main channel of Marie Canyon Creek to the north of the debris basin. This plant community alliance has a conservation status rank of G4S3, indicating it is a sensitive community "vulnerable to extirpation or extinction" within the State of California. As discussed earlier, the California Encelia Scrub Alliance is coincident with the site of a re-vegetation project. Impacts to the re-vegetation site are discussed under the heading Jurisdictional Areas, below. Impacts to the sensitive California Encelia Scrub Alliance are significant, but mitigable. In order to avoid duplicative impacts and mitigation, the California Encelia Scrub Alliance is mitigated as a part of the re-vegetation site.

Jurisdictional Areas

The proposed Component 5-Enhanced Recreation Area would impact a total of 0.35 acres of non-wetland waters of the U.S. under the jurisdiction of the Army Corps of Engineers ("ACOE") [coincident with 0.35 acres under California Department of Game and Fish ("CDFG") jurisdiction] and 0.13 additional acres of Riparian habitat under jurisdiction of the CDFG, for a total of 0.48 acres. The Marie Canyon debris basin, the main stem of Marie Canyon, Tributary 1, and East Drainage 1 each contain non-wetland waters of the U.S. and riparian habitat that would be impacted by the Project (Figure 5.3-4). There are no ACOE Wetlands at the site. Impacts to the 0.35 acres of CDFG/ACOE jurisdictional area and 0.13 acres of CDFG jurisdictional area are significant, but mitigable.

The project would also remove 0.84 acres of the 0.93-acre re-vegetation site on the western slope of the Marie Canyon debris basin. The University is required by previous and

existing permit conditions to create and/or maintain this site as mitigation for impacting 0.93 acres in Marie Canyon Creek (ACOE No. 95-00483-AOA and CDFG No. 5-402-95). The 0.41 acres of the 0.84 acres of the re-vegetation site that would be removed by the project consists of the sensitive California Encelia Scrub Alliance plant community, which is discussed under the Vegetation and Sensitive Plant Communities heading above. As this site must be maintained, removal of 0.84 acres of the re-vegetation site, which includes 0.41 acres of the California Encelia Scrub Alliance, would be a significant, but mitigable impact.

The project would remove 0.20 acres within the Marie Canyon drainage that meet the single attribute California Coastal Commission (“CCC”) wetlands definition. The University’s LRDP allows for development that alters the Marie Canyon drainage or its tributaries, provided the loss of habitat is mitigated. The loss of 0.20 acres of single attribute wetlands as a result of development of Component 5 would be a significant, but mitigable impact. The areas meeting the single attribute definition at the site, i.e. portions of the debris basin and certain patches of riparian vegetation within Marie Canyon drainage, are already regulated by the CDFG. There is nothing noteworthy about the condition or function of the areas meeting these criteria to suggest greater consideration or value should be assigned to them beyond their coincident status as CDFG jurisdictional habitat. Therefore, in order to avoid duplicate impacts and mitigation, mitigation for impacts to CDFG jurisdictional habitat would also serve as mitigation for those areas meeting the single attribute wetlands definition.

Impacts to 0.54 acres of waters of the U.S. are currently authorized for maintenance activities within the Marie Canyon debris basin, Marie Canyon Creek and adjacent tributaries, including lining up to 200 linear feet of the Marie Canyon channel, and 0.025 acres of impacts to waters of the U.S. are currently authorized within the existing stockpile (ACOE File No. 2007-01223-PHT). In addition, impacts to 0.54 acres of CDFG jurisdictional habitat are authorized for maintenance activities within the existing debris basin, Marie Canyon Creek and adjacent tributaries, and 0.025 acres of CDFG jurisdictional habitat are authorized for maintenance activities within the existing stockpile (Agreement No. 5-193-97). The ACOE and CDFG jurisdictional acreages within the existing debris basin, Marie Canyon Creek and adjacent tributaries that would be impacted by the proposed Component 5 project are less than the jurisdictional acreages that are allowed to be impacted by maintenance activities in these same areas, based on existing regulatory approvals.

Direct Loss of Sensitive Wildlife Species

Sensitive wildlife species that meet section CEQA 15380 criteria that may potentially occur at the proposed Component 5 site may be subject to direct harm if present during the grading and construction activities. A list of these species is provided in the existing conditions discussion on sensitive wildlife in this document, and a detailed assessment of the potential for sensitive wildlife species to occur is provided in Appendix D. Direct loss of a sensitive wildlife species due to grading and construction activities is a potentially significant, but mitigable impact.

Impacts of Noise on Sensitive Wildlife Species

The proposed chiller plant at Component 2 would result in a significant increase in the level of noise relative to the existing condition. *See* these Findings Section XI.V for a description of Component 2 mitigation measures. With these mitigation measures in place, impacts on wildlife would be less than significant.

2. Mitigation Measures

See MMRP MM5.3-2, MM5.3-3, MM5.3-4, MM5.3-6, and MM5.3-7, MM5.3-8, MM5.3-9 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to Component 5's impact on biological resources, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

All potentially significant impacts relative to Component 5's impact on biological resources would be less than significant with implementation of the mitigation measures outlined above. The mitigation measures are extensive and include on-site restoration of mechanically disturbed areas, qualified biologist to develop a restoration plan concurrent with the development of Component 5 with specific success criteria implemented over a five year period. Further the project is required to have annual monitoring and evaluation of progress on an annual basis. Additionally the mitigation measures required an Exotic Plant Management Plan that emphasizes the control of exotic, weedy non-native plants within and adjacent to Component 5. To further mitigate, the measures require control over natural areas if invasive species from Component 5 or surrounding fuel modification zones spread into those natural areas. Other measures require specific techniques for application of pesticides, herbicides, or fertilizers to minimize impacts, and where, practical, buffering of the Component areas with native shrubs and trees consistent with applicable law.

Significant impacts are further mitigated by requiring the removal and filling of jurisdictional areas within the Marie Canyon drainages and its tributaries to be done with the authorization of ACOE, CDFG, and the Los Angeles Regional Water Quality Control Board ("RWQCB"), enhancements of those areas, and development of a mitigation plan for such activities by a qualified biologist. Additionally, the Project applicant is required to compensate for the loss of certain acreage at a 1:1 basis via a biologist developed restoration plan. Finally two weeks prior to grading at Component 5, the Project applicant must commission a survey for sensitive wildlife species by a qualified biologist with results shared with the County Director of Planning and the California Department of Fish and Game department. In summary, implementing the above mitigation measures would reduce potential Component 5 impacts to biological resources to a less than significant level.

5. **Reference**

For a complete discussion of Component 5 impacts on biological resources, please see Section 5.3 of the Draft EIR.

N. **Biological Resources (Direct Impacts-Disturbance or Direct Loss of Nesting Birds and Nests)**

1. **Description of Significant Effects**

Grading and construction activities at all component sites, as well as fuel modification in native habitats associated with Components 1 and 2 that have not been subject to prior fuel modification activities, have the potential to directly impact or disturb nesting birds. Disturbing vegetation and other nesting habitats on the site during the nesting season (February 1 – September 15) could result in the loss of bird nests, eggs, and young, and this would be in violation of one or more of California Fish and Game Code Sections 3503 (any bird nest), 3503.5 (birds-of-prey), or 3511 (Fully Protected birds). In addition, removal or destruction of one or more active nests of any other birds listed by the federal Migratory Bird Treaty Act of 1918 (“MBTA”), whether nest damage was due to tree removal or to other construction activities, would be considered a violation of the MBTA and California Fish and Game Code Section 3511. Project impacts would therefore be significant, but mitigable.

2. **Mitigation Measures**

See MMRP MM5.3-10 for the applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project relative to direct loss of nesting birds and nests, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

By requiring a field survey for nesting birds to be conducted by a qualified biologist prior to grading, construction or fuel modification activities and requiring ongoing surveying for protected birds and by requiring the stopping such grading, construction or fuel modification activities in the event active nest are found with the Project area, the mitigation measures required by the EIR ensures Project impacts to biological resources are mitigated to a less than significant level

5. **Reference**

For a complete discussion of Project impacts on nesting birds, please see Section 5.3 of the Draft EIR.

O. Biological Resources (Indirect Impacts Non-Native Plants and Riparian Environmentally Sensitive Habitat Area (“ESHA”) in Lower Marie Canyon, Malibu Coastline Significant Ecological Area (“SEA”) #1 and Marine ESHAs-All Components)

1. Description of Significant Effects

Invasive exotic species introduced as landscaping could spread to natural areas and outcompete native plants and disrupt normal ecological processes. Spread of invasive exotic species into natural areas surrounding the University may reduce the biological diversity of these areas and potentially threaten sensitive plant communities or sensitive species. Introduction of invasive, non-native plant species would be a potentially significant, but mitigable impact.

Stormwater runoff during the construction phase, and runoff from impermeable surfaces during the operational phase have the potential to contain fertilizers, pesticides, oils, sediment and other pollutants, which could adversely impact sensitive biological resources within the watershed, such as the designated riparian ESHA of Marie Canyon Creek to the south of PCH, or sensitive shoreline and marine biological resources downstream. The impact from poor stormwater quality to sensitive biological resources within the Malibu Coastline Significant Ecological Area (SEA) #1, marine ESHAs protecting kelp beds and intertidal/subtidal zones, and ESHA protecting riparian habitat within Marie Canyon Creek south of Pacific Coast Highway is potentially significant, but mitigable. *See* Draft EIR Section 5.2 for additional discussion on stormwater quality.

2. Mitigation Measures

See MMRP MM5.3-11 and 5.3-12 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to non-native plants and various ESHAs and SEAs, as identified in the Draft EIR, to less than significant levels.

4. Facts Supporting and Rationale for Finding

Through the requirement of the use of appropriate landscaping and implementation of a SWPPP and SUSUMP and the required adherence to best management practices, the EIR ensures that Project activities impacts related to native plants and various ESHAs and SEAs are not significant.

5. Reference

For a complete discussion of Project impacts on relative to non-native plants and various ESHAs and SEAs, please see Section 5.3 of the Draft EIR.

P. Biological Resources (Indirect Impacts-Impact of External Night Lighting on Sensitive Wildlife Species)

1. Description of Significant Effects

The environmental impact lighting analysis prepared for the CLP project measured the existing condition of illuminance (light trespass) and contrast (glare) at seven receptors placed at selected locations in naturally vegetated areas surrounding the Component 5 site. Illuminance and contrast were also measured at two receptors placed in vegetated areas to the west of John Tyler Drive, relatively close to the sites of proposed Components 1 and 3, and at two receptors placed in natural habitats at Conservancy-owned Malibu Bluffs south of the Pacific Coast Highway. Illumination and contrast for the proposed condition were modeled and compared to the existing condition, as well as to Illuminating Society of North America (“IESNA”) recommended thresholds of significance for illumination. The IESNA provided recommended practices for maximum light trespass levels. These levels are used as thresholds of significance for illumination contributed by a project. The recommended IESNA threshold of significance for an area to be considered areas considered to be “intrinsically dark, such as a National Park” is 0.1 fc.

The IESNA threshold of 0.1 fc was used to assess the significance of any light trespass at Conservancy-owned Malibu Bluffs, in the vicinity of the Component 5 footprint, and in natural areas to the west of the Campus that could potentially be affected by proposed component lighting, including the proposed lighting standards for the Upgraded NCAA Soccer Field. The modeled illumination, or light trespass, for the proposed condition at each of the receptors was less than the existing condition except at two receptors, namely M and N, which were located in naturally vegetated areas to the west of John Tyler Drive. However, in each case light trespass was below the 0.1 fc threshold. In all cases except for one of the receptors placed at Conservancy-owned Malibu Bluffs, glare was reduced compared to the existing condition. While contrast, or glare, would increase somewhat at the receptor location within Conservancy-owned Malibu Bluffs, the distance between the Conservancy-owned Malibu Bluffs and any of the CLP component sites reduces the likelihood that wildlife would be significantly affected. For detailed information on the lighting study, see the Draft EIR 5.7.2 Light and Glare section and lighting study technical reports provided in Draft EIR Appendix G.

In the case of the Component 5 site, it may seem counter-intuitive that six proposed 80-foot tall lighting standards would result in less light trespass and glare into the surrounding area compared to the four lighting standards currently used to light the existing recreational fields. However, the result reflects the more effective shielding technology of the proposed lighting, as well as the downward-angled orientation of the lights so that the emitted light would be directed onto the Enhanced Recreation Area. Because the results are dependent upon the use of the appropriate shielding and installation technologies included in the proposed lighting package, mitigation is included in Draft EIR Section 5.7.2 Light and Glare requiring the project to create a lighting plan that incorporates these design features.

2. **Mitigation Measures**

See MMRP MM5.7.2-1 – MM5.7.2-8 Light and Glare for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of external night lighting on sensitive wildlife species, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

As the proposed lighting for the CLP project with mitigation included in Draft EIR Section 5.7.2 would not cause significant glare impacts, and would not result in significant light trespass into surrounding natural areas compared to the existing condition, and because surrounding natural areas would meet threshold criteria to be considered “intrinsically dark, such as a National Park”, impacts from external night lighting to potentially occurring sensitive wildlife species are considered to be less than significant after mitigation.

5. **Reference**

For a complete discussion of Project impacts on impacts of external night lighting on sensitive wildlife species, please see Section 5.3 of the Draft EIR.

Q. Air Quality (Construction Period Impacts-Construction-Related Exhaust Emissions)

1. **Description of Significant Effects**

Exhaust emissions will result from on and off-site heavy equipment. The types and numbers of equipment will vary among contractors such that such emissions cannot be quantified with certainty. Equipment exhaust emissions were calculated presuming that grading will be balanced on-site for most project components. It is assumed that cut and fill will be balanced on-site by the intermittent placement of fill at the Enhanced Recreation Area. The project is proposed to balance on site with the Enhanced Recreation Area serving as a balancing pad. However, the excavated material from the Town Square project may be unsuitable to serve as fill at the Enhanced Recreation Area. Therefore, as a worst-case assessment, an analysis was performed assuming that construction of Town Square would export all 70,000 cubic yard of cut. It was assumed that export travel distance was 65 miles round trip and that a haul truck would have a 14 cubic yard capacity. Soil movement within the campus area was estimated to be transported with a 14 cubic yard capacity truck and a trip distance of 3 miles per truckload.

Initial demolition and heavy grading will gradually shift toward infrastructure development. During various construction activities on the project site, a computer model was used to calculate emissions from construction equipment as a basis for estimating maximum daily equipment operations.

In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages. These fugitive dust particles are therefore more of a potential soiling nuisance as they settle out on parked cars, outdoor furniture or landscape foliage rather than any adverse health hazard. The deposition distance of most soiling nuisance particulates is less than 100 feet from the source (EPA, 1995). There are no sensitive receptors within 100 feet from the CLP component sites. Daytime wind trajectories during construction activities are most typically SW to NE. The nearest off-campus sensitive receptors are usually upwind of Project construction activities. Both distance set-back and favorable wind patterns will therefore minimize off-campus fugitive dust soiling nuisance potential.

The URBEMIS2007 computer model (*see* Draft EIR Section 5.4) was used to estimate daily, unmitigated and mitigated emissions during demolition, grading, construction and finish construction for the CLP. For the purposes of this analysis, a 12-year construction period was utilized to identify all potential impacts. The construction schedule and phasing were provided by university planning staff. Adequate housing and parking availability dictate CLP phasing to allow for future demolition prior to new construction. Additional student housing, a new parking structure and creation of a debris basin must be completed before other CLP components can be built. A worst-case year was considered when these three tasks potentially overlap.

Prior to the application of mitigation, PM-10 emissions may exceed the SCAQMD CEQA threshold. With the use of mitigation, peak daily construction activity PM-10 emissions will be below SCAQMD CEQA thresholds. Peak daily emissions for other pollutants will not exceed the SCAQMD thresholds. However, the non-attainment status of the air basin for ozone requires that reasonably available control measures for ozone precursor emissions be implemented. Reasonably available mitigation of nitrous oxide (“NOx”) emissions is recommended, but not required to reduce project-specific impacts to less-than-significant levels. The recommended emissions mitigation measures are detailed in the “Mitigation” section of this report. Thus, the emissions during construction would be less than significant after mitigation

2. **Mitigation Measures**

See MMRP MM5.4.-1 and MM5.4-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related exhaust emissions, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Construction activity PM-10 emissions may exceed SCAQMD recommended CEQA thresholds. Enhanced dust control is required to maintain daily PM-10 emissions at less-than-

significant levels. As all construction projects can produce fugitive dust emissions, the County requires the application of standard dust control measures for all discretionary construction activities even if CEQA thresholds are not exceeded. By implementing the above mitigation measures, the Project applicant will be required to minimize fugitive dust generation and equipment emissions to the maximum extent feasible and to reduce the Project's potential local significance thresholds impact and cumulative air quality impact to less than significant.

5. **Reference**

For a complete discussion of Project impacts on construction related exhaust emissions please see Section 5.4 of the Draft EIR.

R. Air Quality (Construction Period Impacts-Spill-Over)

1. **Description of Significant Effects**

.Construction activity air quality impacts occur mainly in close proximity to the surface disturbance area. There may, however, be some "spill-over" into the surrounding community. That spill-over may be physical as vehicles drop or carry out dirt or silt is washed into public streets. Passing non-project vehicles then pulverize the dirt to create off-site dust impacts. "Spillover" may also occur via congestion effects. Construction may entail roadway encroachment, detours, lane closures and competition between construction vehicles (trucks and contractor employee commuting) and ambient traffic for available roadway capacity. Emissions controls require good housekeeping procedures and a construction traffic management plan that will maintain such "spill-over" effects to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.4.-1 and MM5.4-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related "spill-over," as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Construction activity PM-10 emissions may exceed SCAQMD recommended CEQA thresholds. Enhanced dust control is required to maintain daily PM-10 emissions at less-than-significant levels. As all construction projects can produce fugitive dust emissions, the County requires the application of standard dust control measures for all discretionary construction activities even if CEQA thresholds are not exceeded. By implementing the above mitigation measures, the Project applicant will be required to minimize fugitive dust generation and equipment emissions to the maximum extent feasible and to reduce the Project's potential local significance thresholds impact and cumulative air quality impact to less than significant.

5. **Reference**

For a complete discussion of Project impacts on construction related “spill-over” please see Section 5.4 of the Draft EIR.

S. Air Quality (Construction Period Impacts-Airborne Dust)

1. **Description of Significant Effects**

Dust has the potential to cause temporary impacts during construction of new buildings and infrastructure. Because such emissions are not amenable to collection and discharge through a controlled source, they are called “fugitive emissions.” Emission rates vary as a function of many parameters (soil silt, soil moisture, wind speed, area disturbed, number of vehicles, depth of disturbance or excavation, etc.). In addition to fine particles that remain suspended in the atmosphere semi-indefinitely, construction activities generate many larger particles with shorter atmospheric residence times. This dust is comprised mainly of large diameter inert silicates that are chemically non-reactive and are further readily filtered out by human breathing passages.

2. **Mitigation Measures**

See MMRP MM5.4-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to construction related airborne dust, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Use of standard dust control measures would minimize the fugitive dust impacts during demolition and construction to less than significant levels. As described in Draft Section 5.4.5, the project will implement mitigation measures to control fugitive dust emissions. In addition, the project will comply with SCAQMD Rule 403 (Fugitive Dust), which requires measures to control fugitive dust and ensure fugitive dust does not significantly impact offsite receptors.

5. **Reference**

For a complete discussion of Project impacts on construction related airborne dust, please see Section 5.4 of the Draft EIR.

T. Noise Impacts (Construction Noise Impacts-Generally)

1. **Description of Significant Effects**

Construction noise tends to occur in discrete phases dominated initially by demolition and/or earth-moving sources and later for finish construction. The earth-moving sources are the noisiest with equipment noise ranging up to about 90 dB at 50 feet from the source. Spherically

radiating point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance, or about 20 dB in 500 feet of propagation. Measured daytime noise levels at homes adjacent to the campus and on-campus living halls were 60 dB or less. The loudest earth-moving noise sources with noise levels of 64 dB at 1,000 feet may therefore sometimes be detectable above the local background beyond 1,000 feet from the construction area. A detection radius of 1,000 feet or more pre-supposes a clear line-of-sight and no other machinery or equipment noise that would mask project construction noise. With buildings and other barriers to interrupt line-of-sight conditions, the potential “noise envelope” around individual construction sites is reduced. Construction noise impacts are, therefore, somewhat less than that predicted under idealized input conditions.

Construction noise exposure can be exacerbated when several pieces of equipment operate in close proximity. Because of the logarithmic nature of dB addition, two equally loud pieces of equipment would be +3 dB louder than either one individually. Three simultaneous sources are +5 dB louder than any single source. Thus, while average operational equipment noise levels are perhaps 5 dB less than at peak power, simultaneous equipment operation can still yield an apparent noise strength equal to any individual source at peak noise output. Whereas the average heavy equipment reference noise level is 85 dB, short-term levels from either peak power or from several pieces operating in close proximity can be as high as 90 dB.

The most stringent Noise Ordinance standard for short-term construction equipment noise is 75 dB for residential receivers. Point sources of noise emissions are atmospherically attenuated by a factor of 6 dB per doubling of distance. The loudest construction activities would require almost 280 feet of distance between the source and a nearby receiver to reduce the peak 90 dB source strength to 75 dB.

The proposed Soccer Field is the project improvement that is located closest to any off-campus residential use. The closest impacted sensitive receiver is approximately 175 feet southwest from the closest point on the Soccer Field, but more than 550 feet from the center of the Soccer Field. The next closest construction project is the Outer Precinct Student Housing Rehabilitation, which is more than 500 feet from the closest off-site residence. The 280-foot construction radius impact envelope would affect at most two neighboring MCE homes. This impact would be sporadic and for very limited periods of time. Nevertheless, noise sensitive land uses within 280 feet of heavy construction equipment operations may be temporarily impacted and these impacts are considered significant prior to the implementation of mitigation measures, specifically the required Construction Noise Mitigation Plan.

2. **Mitigation Measures**

See MMRP MM5.5-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of construction noise, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

By requiring the development of a Construction Noise Mitigation plan that will ensure consistency with County Code noise requirements for construction activity noise at the nearest off-site residential property line, the EIR mitigation measure above ensures that all potentially significant impacts relative to construction of the Upgraded NCAA Soccer Field would be less than significant

5. **Reference**

For a complete discussion of Project impacts on construction noise generally please see Section 5.5 of the Draft EIR.

U. Noise Impacts (Operational Stationary Noise Impacts-AEC/Chiller Plant)

1. **Description of Significant Effects**

AEC Itself-Noise Impacts Not Significant

As previously discussed, athletic games and other indoor University events are currently held at the Firestone Fieldhouse, located at the southern portion of John Tyler Drive. The proposed AEC would be located on the east side of Huntsinger Circle near the north end of the loop road adjacent to the Via Pacifica intersection. Since the new facility and facility parking would be located at the northern interior of the campus they would be farther away from MCE. The CLP does not propose to substantially change the number and frequency of events held at the campus. The new AEC would, however, increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse.

The proposed AEC site is approximately 1,100 feet from the nearest off-site receptor and dorms and intervening buildings will assist in blocking any event noise. The existing Firestone Fieldhouse is approximately 200 feet from the nearest Malibu County Estates residence. The proposed event center location provides almost 15 dB of additional noise attenuation as a result of distance separation as compared to the existing Fieldhouse location. Additionally as mentioned above, intervening buildings would assist in noise attenuation.

The proposed AEC would be an enclosed structure. The predominant sporting events would be volleyball and basketball. Other passive activities to be held at the center include campus and community events such as weekly convocation and an annual Bible Lectureship Series. Although the new event venue would seat more spectators as compared to the Firestone Fieldhouse, because activities are indoors and because of the increased distance separation, noise impacts are not anticipated to be significant and residents at Malibu County Estates would likely experience a reduction in overall event noise.

Increased special event attendance would be accompanied by an increased number of parked vehicles. Parking activities generate noise from starting engines, car alarm “chirps,” auto horns, tire squeal, etc. Assuming a logarithmic relationship between the number of parking or departing vehicles and associated noise, the increased event center capacity would create a +3 dB

change in noise levels. However, the relocation of much of the existing special event parking away from the Firestone Fieldhouse would reduce parking activity by more than 10 dB at the nearest MCE homes. Future special event parking noise at off-campus residences would therefore be reduced.

AEC Associated Chiller Plant- Significant Impacts

A chiller plant is planned along the north side of the AEC. Noise at a packaged chiller unit depends upon the type of unit, its cooling capacity, and the size of the unit. Noise propagation toward noise-sensitive receivers also depends upon the line-of-sight relationship between the units and the receiver. The specifications for the proposed chiller plant are unknown at this time. For purposes of analysis, the units have been assumed to be chillers with centrifugal compressors and a 50 square-meter surface area through which sound may pass. The sound power level of a typical 850-ton unit is calculated at a 50-foot reference distance as follows (dB L50):

Base	=	60 dB
Capacity	=	+32 dB
Area	=	+17 dB
A-weighting	=	±0 dB
Spreading Loss	=	<u>-32 dB</u>
Net	=	77 dB at 50 feet/chiller

Operations of three simultaneous chillers (three active, one standby) would generate an 82 dB reference level at 50 feet. The 1,385-foot distance between the proposed chiller plant site and the closest residence (which is within the MCE) affords almost 29 dB of noise attenuation from geometrical spreading losses, reducing noise to 53 dB. The Los Angeles County residential daytime noise standard is 50 dB L50 and the nocturnal standard is 45 dB L50. Although intervening buildings would assist in shielding chiller noise, chiller noise could exceed standards unless the units are enclosed in a building, or surrounded by a substantial barrier. It is anticipated that the proposed chiller plant would be located inside an enclosed plant with structural transmission losses of at least 30 dB. The resultant noise level would decay to 23 dB L50 at the nearest MCE home and meet both the daytime and nocturnal noise standard. However, prior to assurance that the chiller plant would be located inside a building, the project would result in the potential for a significant impact.

Cooling tower fans at the chiller plant, which cannot be enclosed, would also generate noise. Fan noise is dependent on the average power load and fan speed, and the side louver configuration. Water splash noise is generally less than motor noise and airflow noise through the unit. The reference sound power level for a single cooling tower under average hourly load conditions was obtained from the Baltimore Air Coil ("BAC") Company as a typical cooling tower supplier.

The reference noise level at 50 feet from a typical cooling tower varies from 59 to 63 dB at various locations around a single tower. The maximum combined noise effect of four cells, under direct line-of-sight conditions, is 69 dB at 50 feet.

Without any additional structural interference, the L50 daytime County Noise Ordinance standard could be exceeded to a distance of 450 feet. The L50 nocturnal standard could be exceeded to 800 feet.

2. **Mitigation Measures**

See MMRP MM5.5.-10, MM5.5-11, and MM5.5-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of operational stationary noise impacts from the chiller plant along the north side of the planned AEC, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

In addition to the above mitigation measures, at the nearest MCE residence at 1,385 feet, noise from the AEC associated chillers would be reduced to 40 dB, below the daytime and nocturnal noise standard. Further, the combined noise from the cooling towers (40 dB) and the enclosed chiller plant (23 dB) would remain at 40 dB meeting all the ordinance standards. Additionally, per the Draft EIR requirement mitigation measures, the cooling towers are anticipated to be equipped with variable speed fans that would be run at lower speeds at night when cooling demand is minimal. Fan speed reduction would reduce baseline noise generation by 3-5 dB. It may also allow one cell to be turned off during minimum demand. The net effect of reduced nocturnal cooling tower operations is likely an additional –5 dB noise generation reduction at night. In summary, noise from the proposed AEC associated chillers would not result in significant noise impacts related to event noise.

5. **Reference**

For a complete discussion of Project impacts on impacts of the operational stationary noise impacts from the chiller plant along the north side of the planned AEC please see Section 5.5 of the Draft EIR.

V. Noise Impacts (Operational Stationary Noise Impacts-Upgraded NCAA Soccer Field Component)

1. **Description of Significant Effects**

The proposed Upgraded NCAA Soccer Field would be located on the existing Tari Frahm Rokus Field and Stotsenberg Track. Currently, temporary mobile seating accommodates up to 1,000 spectators. The elevation of the proposed Upgraded NCAA Soccer Field would be approximately ten feet higher than the level of the existing track and soccer field. The upgraded field would include lighting, which would allow for nighttime use, and would provide 1,000 permanent spectator seats on the northern side of the field.

The distance from the proposed Soccer Field to the closest off-site residence is approximately 200 feet from the closest point at the field and approximately 500 feet from the center of the field. A change in noise generation from soccer activities would derive from a possible increase in spectator attendance. By meeting NCAA field standards, possible post-season use of the upgraded field for regional play-offs would be increased.

Soccer activity noise depends upon the intensity of the action and the number of spectators. There is no unique noise signature that can characterize every soccer game. A variety of measurements of noise at soccer games, however, produces a reasonably consistent pattern of noise observations. Typical reported noise levels at 500 feet from the middle of a soccer field (or from the middle of a complex of several fields) are as follows (dB Leq):

Marymount College Soccer: 38 dB;

Chico City Park (3 fields): 43 dB;

Citrus Heights Soccer Complex: 46 dB;

San Rafael Recreation Center: 47 dB;

Soccer game noise is primarily in the mid 40 dB Leq range at 500 feet from the center of the field. This represents the set-back of the closest MCE residence to the middle of the Upgraded NCAA Soccer Field. The corresponding L_{50} level is slightly less than Leq. As a worst case assumption it was assumed that the L_{50} level could equal the measured Leqs for any particularly exuberant play. Upgraded field noise of 47 dB L_{50} would be a less than significant impact for daytime use .

If lighted field play continued beyond 10 p.m., the adopted nocturnal significance threshold of 45 dB L_{50} could be marginally exceeded.

2. **Mitigation Measures**

See MMRP MM5.5-13 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to impacts of the operational stationary noise impacts from the Upgraded NCAA Soccer Field Component as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Because the adopted nocturnal significance noise threshold of 45 dB L_{50} could be marginally exceeded resulting in a significant impact, the Draft EIR implements a mitigation measure that requires the termination of lighted play at the soccer field at 10 p.m. in order to ensure that soccer field activity noise impacts are less-than-significant.

5. **Reference**

For a complete discussion of Project impacts on impacts of the operational stationary noise impacts from the Upgraded NCAA Soccer Field Component please *see* Section 5.5 of the Draft EIR.

W. Cultural Resources (Cultural and Paleontological Resources)

1. **Description of Significant Effects**

Cultural Resources

The Project component areas were intensively surveyed and studied for cultural resources for the purpose of this investigation. The records check found one cultural resource (19-002472) within the Project component areas. There were no new archaeological sites found during the field survey. The cultural resource identified in the records check (19-002472) was subsequently remapped using a Trimble GeoXT submeter GPS unit and ESRI ArcGIS 9.2 technology. After being resurveyed, the site was found to be located outside of the impact area of the Project. An updated site record that explains the error in mapping and coordinates information was faxed and mailed to the South Central Coastal Information Center (“SCCIC”). However, 19-002472 is still within 100 feet of the project impact area and is therefore still considered to be within the Area of Potential Effect (“APE”). Measures should be taken to ensure protection of the site during construction activities.

Although the field survey resulted in negative findings, the area should still be considered sensitive for cultural resources given the overall sensitivity of the surrounding area. Impacts to cultural resources associated with the Project are considered potentially significant but mitigable to less than significant levels).

Paleontological Resources

Surface grading or shallow excavations in the Quaternary landslide material and/or deposits of the Sespe and Topanga Formations located in portions of the project component areas are unlikely to uncover significant fossil vertebrate remains. However, deeper excavations in the project component areas have the potential of encountering significant vertebrate fossils. Therefore, extensive earth moving and grading operations associated with the development could destroy fossils, which would represent a significant adverse impact on the region’s paleontological resources, unless proper mitigation measures are implemented.

Impacts to paleontological resources associated with the Project are considered to be a potentially significant impact that can be mitigated and reduced to less than significant levels.

2. **Mitigation Measures**

See MMRP MM5.6-1 - MM5.6-4 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cultural and paleontological resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The survey conducted for the Pepperdine University Project study area resulted in negative findings, but also concluded that the area is sensitive for cultural and paleontological resources. Therefore the Draft EIR requires mitigation measures requiring a professional archaeological monitor onsite during project construction to identify any potentially sensitive cultural or paleontological resources and requiring construction stoppage if those resources are encountered. With these measures, all potentially significant impacts relative to cultural and paleontological resources, would be less than significant.

5. **Reference**

For a complete discussion of Project impacts on cultural and paleontological resources, please see Section 5.1 of the Draft EIR.

X. Public Services (Police Protection Services-Operational Impacts)

1. **Description of Significant Effects**

Implementation of the Project would result in the net addition of 394,137 square feet of structural space devoted to new and rehabilitated residential housing units, new parking facilities, multi-purpose recreation event facilities and athletic fields. There would also be a net increase of 796 on-campus parking spaces and up to 468 beds. While the CLP would result in the provision of additional housing and parking on campus, it would not increase the student enrollment or cause an increased need for faculty. The accommodation of demand for student campus housing would result in correspondingly less daily commuter traffic to the campus. The addition of on-campus residents would result in an increase demand for the various law enforcement services provided to the campus by the Los Angeles County Sheriff's Department ("LACSD").

Of particular concern to the LACSD is any increase in traffic resulting from the project that would be added to PCH, Malibu Canyon Road, and other key roadways in the project vicinity during the completion of all the components of the CLP. The LACSD believes that the Project would not present any unique law enforcement problems.¹⁵ Therefore, the Project would not result in the need to hire additional deputies and would not alter LACSD response times. Correspondence with the LACSD indicates that current staffing levels should be sufficient to serve the CLP without resulting in a significant impact to their existing services

While the LACSD does not foresee the emergence of unique law enforcement problems as a result of the CLP, the University's Department of Public Safety's responsibility of providing

¹⁵ Email Communication with Sgt. Phillip D Brooks, LACSD 2008.

routine day-to-day services to the campus community will be affected by an anticipated increase in service requests occasioned by the additional student resident population on campus, and conversely, by a reduction in traffic formerly generated by daily commuting to the campus. It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. Staffing increases implemented based on the formula described above would render potentially significant impacts to law enforcement services less than significant as a result of the CLP.

2. **Mitigation Measure**

See MMRP MM5.9.2-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to police protection services, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. By requiring staffing increases implemented based on the formula described above, the EIR mitigation measures render potentially significant impacts to police protection services less than significant as a result of the CLP.

5. **Reference**

For a complete discussion of Project impacts on police protection services, please see Section 5.9 of the Draft EIR.

Y. Public Services (Public Utilities-Pepperdine Wastewater System)

1. **Description of Significant Effects**

The wastewater generated by the Malibu campus passes through the University's Wastewater Flow Equalization Station ("WFES") before transmission to MMWRP and TWRP. Under all flow conditions, the WFES has approximately 127,830 gallons of equalization capacity within its four aerated equalization tanks. The current WFES was designed to equalize and store diurnal peak flows before diverting wastewater flows to MMWRP and TWRP rather than providing long-term storage capacity. However, based upon the University's waste flow model ("WFM") academic season average daily flow using Pepperdine specific rates of 209,178 gpd for the Malibu campus, the WFES does provide some short-term storage capacity and can store

flows for an average of approximately 14.67 hours. However, under wet weather maximum day conditions of 435,090 gpd¹⁶, the WFES has approximately 7.1 hours of storage.

The WFES has two progressive cavity pumps, each with a rated capacity of 120 gpm (172,800 gpd). However, meter data from the WFES indicate that the pump has an operating capacity of 180 gpm. In light of this, 180 gpm is considered to be the actual capacity of each pump. The pump station is typically operated under 100 percent redundancy with one duty and one standby pump. Based upon the WFM projected wet weather maximum day flow of 435,090 gpd, the current pumping capacity would need to be increased to provide redundancy. During seasonal storm events infiltration will increase the amount of wastewater exerted on the WFES.

As ground water infiltrates into the sewage collection system, the total amount of water exerted on the WFES occurs over a 24-hour period. The wet weather maximum day flow of 435,090 will be exerted on the WFES under diurnal (varying) flow rates. Draft EIR Appendix G of the Wastewater Flow Model represents the anticipated diurnal loading of the WFES under future peak wet weather conditions. Under the current configuration a maximum of 115 gpm may be diverted to the MMWRF and 180 gpm may be diverted to the TWRP from the WFES. In order for the remaining 270,909 gpd to be diverted to the TWRP the pump/s must deliver 187 gpm over a 24-hour period. As a result the WFES would not have the ability to pump its level to point equal to the level when the peak event started while assuming one pump is out of service. Over multiple days of peak wet weather loading wastewater would continue to build up on the WFES.

2. **Mitigation Measures**

See MMRP MM5.10.2.-1 and MM5.10.2-2 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to wastewater disposal during wet weather, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Under the current configuration a maximum of 115 gpm may be diverted to the MMWRF and 180 gpm may be diverted to the TWRP from the WFES. In order for the remaining 270,909 gpd to be diverted to the TWRP the pump/s must deliver 187 gpm over a 24-hour period. However, with the addition of a third pump for redundancy, two pumps operating in parallel can produce 270 gpm thus eliminating the possibility of storage buildup over a multi-peak wet weather event. Therefore, through the CLP would create a potentially significant impact on the WFES in wet weather, by requiring the upgrading the WFES to add 50 percent redundancy at 360 gpm of capacity, the Draft EIR ensures that wastewater would be less than significant .

¹⁶ 435,090 gpd is based on a peaking factor of 2.08 (see **Appendix J**)

5. **Reference**

For a complete discussion of Project impacts on wastewater, please see Section 5.10 of the Draft EIR.

Z. Public Services (Public Utilities-Solid Waste)

1. Description of Significant Effects

The Project provides new and upgraded athletic, recreation, entertainment, parking, and residential facilities. The CLP would not produce hazardous wastes other than typical hazardous waste related to maintenance activities, such as paint thinners, solvents, and motor oil. Typical hazardous wastes would be stored in maintenance areas consistent with current University and County Fire Department practices. The California Integrated Waste Management Board ("CIWMB") provides solid waste generation rates to estimate the amount of waste created by a certain land use. The waste generation rates include all materials discarded, whether or not they are recycled or disposed of in a landfill. As such, they are useful in providing a general level of information for planning purposes. The Project would result in an additional population of 468 on-campus students and 43 full time equivalent (FTE) employees on campus, as well as 15 additional contract employees during events. In order to estimate the amount of solid waste produced by the increase of on-campus residents a conservative generation rate of 12 pounds of solid waste per resident was utilized.¹⁷ In addition, a solid waste generation rate of 0.6 lb/person/day was utilized to in order to account for all campus activities (i.e. use of ancillary facilities) associated with the projected on-campus resident and FTE population.¹⁸ In addition, according to the CIWMB, activities at venue events generate an average of approximately 2.44 pounds of waste per visitor, per day.¹⁹ Although the proposed Soccer Field would remain at approximately 1,000 bleacher seats, the proposed AEC would include a net increase of 1,900 event-related seats.

The daily solid waste generation of the Project would be 10,575 pounds per day. However, this number assumes that the AEC, as well as the Standard and Outer Precinct, would be operating at full capacity. On a yearly basis, the CLP would generate 833.3 tons of solid waste per year for an average daily generation of approximately 2.3 tons per day, or approximately 4,564.7 pounds during operation. Peak days would generate approximately 10,575.8 pounds. The solid waste estimates are conservative because they do not account for any campus recycling activities and they assume the following:

¹⁷ Ultrasystems, Stevenson Ranch DEIR Phase IV Specific Plan, April 1992. Accessed from the CIWMB on May 19, 2009 from: <http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Residential.htm>.

¹⁸ Guide to Solid Waste and Recycling Plans for Development Projects (Santa Barbara County Public Works Department), May 1997. Accessed from the CIWMB on May 19, 2009 from: <http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Institution.htm>.

¹⁹ California Integrated Waste Management Board. Targeted Statewide Waste Characterization Study: Waste Disposal and Diversion Findings for Selected Industry. June 2006. Page 73. (Public venues and events on average generate 244 pounds of waste material per hundred visitors.)

- Additional student residents and new faculty and staff would be on campus 265 days a year;²⁰
- The AEC would have a net increase of 20 sold out events;²¹ and
- All new visitors to the AEC are coming from off-campus residences.

The Sunshine Canyon City/County Landfill's disposal rate is on average, 2,100 tons per day less than its permitted daily capacity of 12,100 tons per day. This assumes that Sunshine Canyon City/County Landfill currently operates at an average disposal rate of 10,000 tons per day.. The daily average of 2.3 tons of solid waste generated from the project per day represents 0.11 percent of the remaining average daily capacity of the Sunshine City/County Landfill. This quantity of waste would represent 0.10 percent and 0.23 percent of the remaining average daily capacity at the Chiquita Canyon Landfill and Calabasas Landfill, respectively.

2. **Mitigation Measures**

See MMRP MM5.10.3-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to solid waste, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Given the limited magnitude of the Project's incremental solid waste generation as compared to the existing landfill capacity, the Project is not expected to result in a significant impact on solid waste disposal capacity. However, given the County-wide shortage of future landfill capacity (as reported in the Los Angeles County Integrated Solid Waste Management Plan 2008 Annual Report), the Project would contribute to a significant cumulative impact on landfill capacity; however, with incorporation of mitigation requiring the project be incorporated into the existing University recycling program, including 70% operational recycling and 70% construction waste recycling, the project contribution would not be cumulatively considerable. Implementation of the above mitigation measure would reduce the potential impacts of the project and the project's contribution to cumulative impacts.

5. **Reference**

For a complete discussion of Project impacts on solid waste, please see Section 5.10 of the Draft EIR.

²⁰ It is important to note that the campus would not operate at maximum occupancy levels year round (i.e. spring, summer, and winter breaks). Additionally, faculty and staff would not be on campus more than 5 days per week.

²¹ The proposed Athletics/Events Center would not result in a substantial increase in the amount of existing games or events. This includes 20 men's basketball games, 20 women's basketball games, 12 men's volleyball games, 12 women's volleyball games, 7 bible lectures, and 8 additional events. The majority of these events would be attended by fewer than 3,100 people, the current capacity of the existing event location, Firestone Fieldhouse.

X. ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT AND UNAVOIDABLE

A. TRAFFIC AND ACCESS (MAJOR EVENT PEAK MORNING AND PEAK EVENING HOURS)

The County has determined that, although Final EIR mitigation measures will provide a substantial mitigation of the following effect, this effect cannot be feasibly or effectively mitigated to a less than significant level. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Consideration has been prepared (*see* these Findings Section XVI) to substantiate the County's decision to accept these unavoidable, substantial, adverse environmental effects because of the benefits afforded by the Project.

1. Description of Significant Effects

The CLP does not propose to substantially change the number and frequency of events held at the campus. The new AEC would, however, increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse. Data provided by the University show that most of the campus events are attended by less than 3,000 persons. In fact, more than 90% of the campus events experience attendance levels with less than 1,000 persons. Six events with more than 3,000 persons were held in 2007 (not including graduation ceremonies). The largest of the sporting events are the men's NCAA basketball and volleyball games, where up to 3,100 persons are in attendance. The largest outdoor event held at Alumni Park is the Seaver College graduation, which has historically been attended by 8,000 to 10,000 persons.

Events held at the new AEC would generate peak traffic flows inbound to the campus during a one- to two-hour period prior to the event and outbound flows from the campus after the event. A maximum attendance event (5,470 attendees) would generate 1,313 vehicle trips to the campus. A smaller event with 3,500 attendees, which is roughly equivalent to the maximum number of attendees at the Firestone Fieldhouse, would generate 840 vehicle trips to the campus. The majority of such campus events would be held during the evenings and on weekends when campus traffic impacts and parking demands are lighter and traffic in the surrounding area is lower than during peak commuting hours. The majority of events are during the academic year and not during periods with summer beach traffic. However, the Draft EIR found that large events that could generate significant impacts are defined as events with over 3,750 attendees that draw a significant number of attendees from off campus (60% or greater) and are scheduled to start or end during the A.M. (7:00 - 9:00 A.M.) or P.M. (4:00 - 6:00 P.M.) peak periods on weekdays.

2. Mitigation Measures

See MMRP MM5.8-1 - MM5.8-4 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which substantially lessen the significant environmental effect of Project traffic at certain peak times, identified in the Draft EIR. However, although such measures may reduce and possibly eliminate certain impacts, effects on traffic over 3,750 persons that start or end during the A.M. or P.M.

peak periods weekdays, with 60% of the attendees coming from off-campus, would be significant and unavoidable. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives identified in the Draft EIR.

4. **Facts Supporting and Rationale for Finding**

While a trip reductions are anticipated from the development of a Draft EIR mitigation measure required Transportation Demand Management Program (TDM), which is expected to reduce the forecast of significant impacts, in order to provide a conservative analysis, it has been assumed that the required level of trip reduction will not be attained and that significant and unavoidable traffic impacts may occur. These significant impacts would only occur during large-scale events attended by over 3,750 persons that start or end during the A.M. or P.M. peak periods weekdays, with 60% of the attendees coming from off-campus. Impacts are considered to be significant after implementation of the proposed mitigation measures. Specific economic, legal, social, technological, or other considerations, make infeasible additional mitigation measures or Project alternatives identified in the Draft EIR.

5. **Reference**

For a complete discussion of the AEC traffic related environmental effects of the Project, please see Section 5.8 of the Draft EIR.

XI. CUMULATIVE IMPACTS FOUND NOT TO BE SIGNIFICANT PRIOR TO MITIGATION

A. Cumulative Impacts on Air Quality

The Project could result in significant air quality impacts from operation if the operation of the project would result in a rate of growth in average daily trips (“ADT”) that exceeds the rate of growth in population. The SCAQMD’s *CEQA Air Quality Handbook* identifies methodologies to determine the cumulative impact of land use projects based on performance standards and emission reduction targets necessary to attain the federal and state air quality standards identified in the California Air Quality Management Plan (“AQMP”). The handbook states in Table A9-14 that if the following relationship is true, then the project should be found to have a cumulatively significant impact:

A/B > C/D Where: A is the increase in vehicle miles traveled (“VMT”), average daily traffic (“ADT”) or number of vehicles (“NOV”) associated with project development

B is the projected cumulative VMT, ADT, NOV for Los Angeles County for project build-out.

C is the population accommodated by the project at build-out, and

D is the Southern California Association of Governments (“SCAG”) population projection for Los Angeles County at build-out.

“Population” is not an ideal growth yard-stick for a University because Pepperdine is much more than just dormitories. Nevertheless, the above equation cannot be true because the Project will cause a decrease in VMT, ADT or NOV by providing on-campus housing and reducing student commuting. The factor “A” in the above equation is a negative number. A negative ratio of A/B can never be greater than a positive ratio of C/D. Therefore, implementation of the CLP would not generate a cumulatively considerable contribution to regional air quality impacts. This is considered a less than significant cumulative impact.

B. Cumulative Impacts on Traffic Noise

Area build-out traffic growth would create moderate increases in traffic volumes. However, because of the logarithmic nature of traffic noise, it requires a very large increase in traffic volume to increase associated noise levels, especially for areas that are already built out with a relatively large traffic base. Cumulative traffic noise (“existing with ambient and cumulative” and “existing with ambient, cumulative, and project” in Draft EIR Table 5.5-9) on two roadway segments exceed the +3 dB CNEL potential significance threshold as detailed in the Table, below.

Significant Cumulative Impacts

Segment	Total Cumulative Impact	Project Only Impact	Other Area Development Impact
Civic Center Way/ Webb Way-Cross Creek	+4.0 dB CNEL	0.0 dB CNEL	+4.0 dB CNEL
Webb Way/ Civic Center-Pacific Coast Hwy	+3.1 dB CNEL	0.0 dB CNEL	+3.1 dB CNEL

As shown in the above Table, the project contributes negligibly to this growth in cumulative traffic noise at the two impacted segments. As such, noise impacts associated with cumulative development are anticipated to be potentially significant and would occur without implementation of the Project. Therefore, the project’s contribution to cumulative impacts is considered to be less than significant.

C. Cumulative Noise Impacts with Related Projects: Firestone Fieldhouse

As a related project, Firestone Fieldhouse will be converted to a student recreation center once the AEC is completed. The recreation center is planned to open early and stay open late to allow for early morning or late evening workouts. It should be noted that because the campus does not currently have a separate recreation center, in addition to accommodating the athletic department, the Firestone Fieldhouse serves students’ recreation needs as well, which could have similar impacts as planned future uses at the facility. Current uses at the facility include hosting intramural volleyball tournaments until midnight (Monday and Wednesday nights in 2010). However, conversion of the Firestone Fieldhouse to a student recreation center that would be open post 10 p.m. may create added late evening noise from student activities compared to existing conditions.

Noise sources such as youthful exuberance, car alarms, door slams, etc are more single-event noise spikes rather than sustained 50th percentile (L₅₀) levels used in the project impact analysis as a significance threshold. Measured single event noise from parking lot activities and small group assembly (Eastvale Gateway, 2002) was projected from the source to the nearest MCE homes. These levels were compared to the measured maximum noise levels at two existing homes on Vantage Point Terrace as follows:

Source	Projected Lmax
Car alarm	55 dB
People laughing, shouting	53 dB
Door slam	53 dB
Car start	52 dB
Car idle	51 dB
Car slowly moving	46 dB

Existing background Lmax levels were measured to be 67-72 dB between 8 p.m. to midnight at the closest homes to Firestone Fieldhouse. Student activity noise may be audible late in the evening at the nearest homes because background levels are low, but the peak activity noise will not be any greater than levels currently experienced. As such, late evening use of the future Firestone Fieldhouse student recreation center will not have a significant noise impact.

D. Cumulative Impacts on Visual Resources and Aesthetic Qualities

A cumulative light and glare impact would occur if any related projects identified in Draft EIR Section 4.0, Environmental Setting and located within the Project's visual setting would contribute to a cumulative increase in light levels or glare generation within the area. As shown in Draft EIR Figure 4-1²², the majority of related projects are outside the Project's visual setting. Four related projects have been proposed within relative close proximity to the CLP. Two of these can be seen from Sensitive Receptor locations along the eastern side of MCE and from John Tyler Drive. The four projects are located within the interior of the developed campus, and are as equally concealed from view from PCH and Malibu Country Road ("MCR") as the CLP.

The four on-campus related projects consist of the following: 1) the expansion and conversion of Firestone Fieldhouse into a student health and recreation center, including the replacement of existing unshielded globe fixtures with shielded, cutoff fixtures in the vicinity of Firestone Fieldhouse; 2) construction of a four-level academic classroom and office structure at

²² The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

the northern intersection of Seaver Drive and Presidents Drive; 3) two-level campus learning center and church school facility to be located on the lowest elevated undeveloped pad of the Graduate Campus; and 4) installation of lighting at the Eddy D. Field Baseball Stadium. Of these four, the Firestone Fieldhouse expansion and Eddy D. Field Baseball Stadium lighting have the potential to substantially contribute to off-site light and glare impacts due to proximity to MCE. The other two related projects do not have the potential to create light and glare impacts due to both the distance to off-site residences and the intervening terrain that serves to limit direct views. To evaluate the potential cumulative impacts, two additional Receptor Site locations were established west of John Tyler Drive across from the Firestone Fieldhouse (Receptor Sites K and L).

Contrast

The CLP and related projects' proposed lighting improvements result in reduced contrast ratios when compared to existing conditions at all Receptor Sites. Of the 15 Receptor Sites, three showed contrasts in excess of 30:1, despite the fact that each represents a relative improvement over existing conditions. Receptor Site A received a calculated contrast ratio of 44.5:1, Receptor Site J received a calculated contrast ratio of 38.6:1, and Receptor Site M received a calculated contrast ratio of 32.6:1, all above the threshold of 30:1. The future contrast ratio at Receptor Site A represents an improvement from the existing measured contrast ratio of 45.5:1. At Receptor Site J, the existing condition calculated contrast level is 45.3:1. At Receptor Site M, the existing condition calculated contrast level of 36.9:1, such that the calculated future ratio of 32.6:1 would represent a relative decrease. In the case of Receptor Site L, the existing contrast ratio, which exceeded the threshold ratio of 30:1, is reduced to a level below the threshold.

The high contrast ratios at Sites A, J and M result from elevated luminance levels (measured in Foot Lamberts ("fl")) predicted to occur at the Baseball Field when the lighting is operated at a maintained illuminance level of 100 fc (infield) and 75 fc (outfield). This level of lighting is only required for games that are to be nationally or regionally broadcast. Because this is likely to be an infrequent occurrence, likely less than 10 nights per year, the majority of the time the lights are in use they will be operating at the lower maintained illuminance level of 75 fc in the infield and 50 fc in the outfield. Further, a curfew would be employed on the use of the lighting that would require that scheduled events would end no later than 10 p.m. Line-of-sight terrain analysis conducted for Receptor Points A & J to the surface of the baseball field indicate that there are on-campus locations east of John Tyler Drive, between the baseball field and the Receptor Points, where view blocking landscaping and/or other screening devices may be employed that would block up to 90% (or greater) of the field's visibility. Such view screening could be accomplished without interfering with existing views of the rest of the campus and with distant views of the Santa Monica Mountains. Because the contrast ratios at these locations are below existing conditions, impacts are considered to be less than significant however, because they would exceed a 30:1 contrast ratio, mitigation is provided. Implementation of mitigation measures will reduce contrast at Receptor Sites A to 20.6:1, J to 21.2:1, and M to 26.1:1, all below the established standard used (See Draft EIR Section 5.7 and the MMRP for a more detailed discussion of the aforementioned mitigation measures.)

At the Receptor Sites studied to measure potential impacts to habitat and vegetated natural areas, any illuminance contribution greater than 0.1 fc would constitute a significant

impact. As shown in Draft EIR Table 5.7.2-11, the calculated contribution of illuminance at all Receptor Sites located in vegetated natural areas is less than the measurement used to establish the threshold of 0.1 fc. Impacts are therefore considered to be less than significant.

Coverage

The increased height of the related project and CLP sports lighting could increase the amount of coverage from each receptor site. This height increases the possibility of views to high brightness lamp sources. However, view angle studies have shown that the proposed sports lighting can be shielded to limit glare conditions. Proposed architectural elements (consisting primarily of wall surfaces) of the CLP and related projects will also increase the coverage of some components as seen from the Receptor Sites. As the potential lighting impacts related to increases in coverage are either consistent with existing conditions, or result in reduced lighting impact due to design features such as shielding and limited aiming, none of the improvements will result in significant visual impacts.

Context

The increased height of the sports lighting poles proposed by the CLP and related projects is likely to increase the amounts of the light features that are visible from selected Receptor Sites. New taller lighting infrastructure will fall near the raised roofline of the proposed AEC and they would, in the case of several poles along the south side of the field, intrude into the skyline above mountain ridgelines to the north when viewed primarily from Receptor Sites along John Tyler Drive. The poles arrayed along the southern side of the soccer field may appear taller as they would be closer to the Receptor Sites. However, the potential lighting impacts related to increases in context are either consistent with existing conditions, or result in reduced lighting impacts due to design features such as shielding and limited aiming. As such, impacts are less than significant.

E. Cumulative Impacts on Visual Resources

Related projects located in the CLP's vicinity (as listed in Draft EIR Table 4-1²³) were evaluated to assess potential cumulative visual impacts. Of the 75 related projects, numerous of them (Nos. 1-38) generally represent residential projects or improvements to existing residences that are located along Malibu Road and Malibu Colony Drive, which are shoreline-fronting residential streets that lie at the base of coastal palisade bluffs and that extend east toward Malibu Lagoon. These residential projects are all located south of PCH and are not seen within viewsheds from local scenic routes that are oriented toward the CLP. A number of the projects (Nos. 45-51) consist of the rebuilding of and of repairs made to structures located east of Malibu Canyon Road (MCR) that were damaged or destroyed by a relatively recent wildfire. These fire damaged properties lie within Malibu Canyon, which is separated by prominent viewshed defining ridgelines from the core areas of the Campus where the CLP would be located. Almost all of the remaining numbered projects are located within the Malibu Civic Center lowlands

²³ The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

and/or to the east along PCH and, as such, they also do not fall into viewsheds seen from PCH or MCR in which any components of the CLP could also be seen. A residential subdivision (related project 66, consisting of five residential properties) would be located south of PCH and immediately east of Malibu Bluffs Stat Park. The CLP and the residential project could not be seen within the same viewshed in scenic views from PCH, MCR, or vicinity parks and beaches. Related project 65, is a proposed visitor-serving commercial development (Rancho Malibu Hotel) that would be situated at the northeast corner of the intersection of PCH and MCR. While the proposed hotel project could be seen in southerly and easterly scenic views from MCR, such views would be directed away from the Campus and in no case would any component of the CLP also be visible from anywhere along MCR. Due to the presence of on-campus view blocking terrain, CLP is also not visible from anywhere along PCH in proximity to the proposed hotel project. Only three related projects, that are located on the Campus, have the potential to be seen within the same public viewsheds as the CLP. The three projects (73, 74, and 75) are located within the interior of the developed campus, and are as equally concealed from view from PCH and MCR as the CLP.

Project 73 would consist of the expansion and conversion of Firestone Fieldhouse into a student health and recreation center. The Firestone Fieldhouse is not visible in any scenic views from PCH and MCR. It would be only partially visible from selected locations within Conservancy-owned Malibu Bluffs (as illustrated in Figure 5.7.1-6). In public views from the Park, visibility of the CLP is limited, as is the view of the Firestone Fieldhouse, and as such, the cumulative visual impact would not be significant.

Project 74 consists of a permitted four-level academic classroom and office structure (LRDP facility # 256) that would be situated near the northeast corner of the intersection of Seaver Drive and Presidents Drive. The location is not visible from MCR, PCH, or from Conservancy-owned Malibu Bluffs. The related project would not contribute to a significant cumulative visual impact.

Project 75 consists of two permitted facilities (LRDP facility #s 254 & 265) that would be situated on a lowest-elevated and, as yet, undeveloped pad of the Graduate Campus. The facilities would be restricted to two levels in height and would contain a campus learning center and church school facilities. The building pad location is not visible from MCR or PCH, but it would be visible from Conservancy-owned Malibu Bluffs, albeit at a lower elevation than the existing residential housing areas and the higher-elevated academic buildings of the Drescher Graduate Campus. As views of the CLP would be limited the cumulative visual impact is not considered significant.

F. Cumulative Impacts on Traffic

Traffic Forecasts (Without Project)

Future development in the area, as well as general growth, has the potential to generate new traffic at the study-area intersections. Traffic volumes were developed for this scenario assuming the Existing + Ambient Growth forecasts + the additional traffic that would be generated by cumulative projects (approved and pending developments) in the surrounding area. The projects that were identified for cumulative impact evaluation are listed in Draft EIR Table

4.1²⁴. Trip generation estimates were calculated for the cumulative projects using the rates published in the Draft EIR's ITE Trip Generation report. A copy of the cumulative trip generation worksheet is contained in Appendix H.

The trips generated by the cumulative projects were distributed and assigned to the study-area street network based on patterns developed for other projects in the area as well as the existing traffic patterns observed in the area. The LOS calculations completed assume the planned improvements to the Malibu Canyon Road/Seaver Drive-Civic Center Way intersection. Based on Los Angeles County impact criteria, the cumulative projects (without the CLP) would impact the following intersections.

- PCH/Corral Canyon Road - P.M. Peak Hours;
- PCH/John Tyler Drive - P.M. Peak Hour;
- PCH/Malibu Canyon Road - A.M. & P.M. Peak Hours;
- Las Virgenes Road/Mulholland Highway - P.M. Peak Hour;
- Stuart Ranch Road-Webb Way/Civic Center Way - A.M. & P.M. Peak Hours;
- PCH/Webb Way - P.M. Peak Hour;
- PCH/Cross Creek Road - A.M. & P.M. Peak Hours;
- PCH/Rambla Pacifico - A.M. & P.M. Peak Hours; and
- PCH/Las Flores Canyon Road - A.M. & P.M. Peak Hours

Traffic Forecasts (With Project)

The traffic reductions generated by the CLP were added to the Existing + Ambient Growth + Cumulative forecasts for analyses of CLP impacts on the surrounding roadway network. The CLP would reduce average daily and peak hour traffic entering/leaving the campus and therefore generate a beneficial impact to the intersections under the cumulative scenario.

G. Cumulative Impacts on Public Utilities-Potable Water Supply

Water availability impacts related to the CLP would involve only the purchase or acquisition of potable and reclaimed water from water purveyors, since no groundwater resources in the project area are proposed for use. As the CLP components are built, their development and that of the related projects would increase the amount of water required on a year-to-year basis until buildout is complete. All projects would be competing for the same potable water sources, the State Water Project ("SWP") and the Metropolitan Water District of

²⁴ The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

Southern California (“MWD”). Therefore, all nearby projects were evaluated and are presented below together due to the regional nature of the water resources.

All of the related projects would compete for the same potable water sources as the CLP components. Few (if any) of the Los Angeles County projects or the City of Malibu projects would compete for the reclaimed water sources that are exclusive to Pepperdine University. As the CLP components are located throughout the campus in locations already served by the reclaimed water system, there would be no cumulative impacts for reclaimed water.

With regard to potable water, the cumulative demand is estimated to be approximately 121,023 gpd. The CLP and other future University development and operations would incorporate water-efficient design features, which significantly reduce the Project’s contribution to cumulative impacts. Future University development, including the CLP, would represent approximately 26 percent of the cumulative demand (31,249 gpd) whereas the cumulative project set represents 74 percent (89,774 gpd). However, together this represents only a small portion of the SWP, MWD and West Basin Municipal Water District (“WBMWD”) resources available. Furthermore, future CLP annual potable water demand (23.8 acre feet per year (“AFY”)) would only represent a .23 percent increase on the current annual water demand of the Los Angeles County Waterworks District (“LACWWD”) No. 29 (11,302 AFY). At project build-out in 2030, this would represent .16 percent of District No. 29’s demand for water and .01 percent of future demand on WBMWD’s supplies. Considering future growth within WBMWD’s service area, and water conservation measures, recycling and plans for new sources of water, future projections of supply from WBMWD indicate a surplus of water availability to meet future demands of its water retailers. Imported water demand by the WBMWD should decrease in future years as plans for increased sources in supply, as discussed above in Section 5.10.1.1. Supplies of the WBMWD should in-turn be sufficient to meet LACWWD’s projected demands, including the CLP and related projects. Therefore, while there are future cumulative increases in water demand, of which the project is a part, the water suppliers have projected to have adequate supplies to meet those future cumulative demands.

H. Cumulative Impact on Public Utilities-Wastewater

Related projects located within the vicinity of the CLP areas are proposed to be developed within Los Angeles County, the City of Malibu, and on the Campus. The on-campus related projects would produce 6,655 gpd. Wastewater from the CLP and on-campus related projects would be treated at either the MMWRP or the TWRP. It would not be feasible for any related projects, other than those located on the Campus, to be served by the MMWRP. To the degree that these other related projects, which represent a mix of residential, commercial and other land uses, would be expected to contribute to the reduction in TWRP’s available excess capacity, then an overall area-wide reduction in wastewater treatment service could result, when considered in combination with CLP’s increased capacity utilization. Urbanization within the TWRP service area could potentially have a significant cumulative impact on wastewater services; however, the project’s contribution after mitigation is not considered cumulatively considerable and therefore less than significant, since the CLP and on-campus related projects would use approximately 0.60 percent of the current excess capacity of TWRP.

I. Cumulative Impact on Public Utilities-Land Use

The development of the CLP in concert with the related development within the surrounding sub-region (listed in Draft EIR Table 4.1²⁵) would result in the modest intensification of prevailing land uses. The campus core would be infilled with educational, recreational, housing, parking, and supporting facilities in accordance with the LRDP. Outside of the Pepperdine University property and outside of the University's control, the related projects indicate that additional residential units would be developed along the coastal terrace flanking PCH east and west of the project site. Their types, density, and distribution would replicate existing residential development patterns—either as single units on large lots or clustered development surrounded by open space. The most intensive and significant land use changes are anticipated to be the proposed 179,000 square-foot hotel northeast of the PCH–Malibu Canyon Road intersection, the Legacy Park Project, and retail, office, residential, and other development in the Malibu Civic Center. Cumulatively, these would establish a more intensive area that is intended to function as the “core” of the Malibu Community. The Project would not result in significant land use compatibility impacts when considered in combination with the related projects anticipated in the area and, therefore, no significant cumulative impacts are anticipated.

XII. CUMULATIVE ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION

A. Cumulative Impacts on Geologic, Geotechnical, and Seismic

1. Description of Significant Effects

Geologic, geotechnical, and seismic impacts related to development of the CLP area are localized and should not directly affect offsite areas. Notwithstanding this generalization, grading in areas with moderate to high relief, and/or moderate to steep slopes, may affect geologic, geotechnical, or seismic stability down slope or upslope if mitigation measures fail to perform as designed. Also, the planned CLP would contribute to the cumulative increase in the number of persons exposed to geologic hazards

2. Mitigation Measures

See MMRP MM5.1-1 and MM5.2-18 for applicable mitigation measures.

3. Finding

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on geologic, geotechnical, and seismic issues, as identified in the Draft EIR, to less than significant levels.

²⁵ The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

4. **Facts Supporting and Rationale for Finding**

The CLP area is sufficiently contained by surrounding topography and is sufficiently distant from other campus facilities to eliminate the potential for direct impacts due to some geologic hazard such as a landslide or collateral damage from earthquake groundshaking. However, assuming that the CLP and all of the cumulative projects on campus are adequately studied for hazards, properly designed, and constructed in accordance with approved mitigation measures referenced above, the added impacts of all projects would be minimal and mitigable.

For a complete discussion of Project cumulative impacts on geologic, geotechnical, seismic issues, please see Section 5.1 of the Draft EIR.

B. Cumulative Impacts on Water Quality

1. **Description of Significant Effects**

The Project could have cumulative construction related water quality and erosion effects.

2. **Mitigation Measures**

See MMRP MM5.1-1 – MM5.1-12 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on water quality, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Potential construction-related water quality and erosion effects are generally site-specific and would be controlled through the implementation of State and local regulations, standards, and ordinances, as well as any required mitigation measures. Since the Project would comply with all relevant State and County standards and regulations, it is judged that the project's incremental contributions to cumulative conditions would be less than significant upon implementation of all required mitigation measures referenced above.

For a complete discussion of Project cumulative impacts on water quality, please see Section 5.2 of the Draft EIR.

C. Cumulative Impacts on Biological Resources

1. **Description of Significant Effects**

The Project could have cumulative impacts on biological resources.

2. **Mitigation Measures**

(See MMRP MM5.3.-1 – 5.3-12 for applicable mitigation measures.)

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on biological resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Draft EIR Table 4.1²⁶ list the related projects. The majority are single-family residences in various project stages. Several projects are fire rebuilds to replace structures burned in recent wildfires. Other projects involve road improvements, water treatment facilities, retail/office uses, landscape restoration, a city park, four restaurants, a grocery store, and a hotel. Many projects are dispersed along the beachfront south of Malibu Road, and most others are scattered throughout urban and residential areas of the City of Malibu east of Malibu Canyon Road.

There are four planned projects within Marie Canyon. On campus projects include the Firestone Fieldhouse Expansion, an academic and professional building an academic learning center and church facility; and lighting at the existing baseball field. Additional projects in Marie Canyon include a single-family residential home, an addition to a single-family residence, and a stormwater/runoff treatment facility. These additional projects are not within the Pepperdine University property, and are all located to the south of the University along Malibu Road.

The Project would not result in significant cumulative impacts in combination with other projects, as the planned mitigation measures for all project impacts would reduce the CLP project's contribution to cumulative impacts to a less than significant level. Furthermore, the proposed development projects in the area would be required to avoid or mitigate for significant impacts to biological and jurisdictional resources. It is expected that proper compliance with existing regulations would reduce the contributions to cumulative impacts of other proposed development sites in the project area.

5. **Reference**

For a complete discussion of Project cumulative impacts on biological resources, please see Section 5.3 of the Draft EIR.

D. Cumulative Impacts on Noise: Baseball Field Lighting

1. **Description of Significant Effects**

As a related project, the University proposes to light the baseball field for evening use. A cumulative effect could occur for activity on two lighted fields. Baseball activity noise is more intermittent than ongoing soccer play. The projected L50 noise level at the nearest MCE homes

²⁶ The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

would be less than 45 dB L50 from baseball. Cumulative noise from two lighted fields would be less than 50 dB L50 (pre-10 a.m. standard), but more than 45 dB L50 (post-10 a.m. standard).

2. **Mitigation Measures**

See MMRP MM5.5-13 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on noise for the related baseball field project, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

By requiring lighted use of the updated Soccer Field to cease by 10 p.m., cumulative noise from two lighted fields would be less than 50 dB L50 and less than significant.

5. **Reference**

For a complete discussion of Project cumulative impacts on noise for the related baseball field project, please see Section 5.5 of the Draft EIR.

E. Cumulative Impacts on Cultural Resources

1. **Description of Significant Effects**

Over time, cultural resources may be impacted either through natural events or as a result of development projects or other human activities. With any development, there is the potential to disrupt unknown resources, especially given the large number of known sites within the Malibu area

2. **Mitigation Measures**

See MMRP MM5.6-1 – MM5.6-4 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on cultural resources, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Related projects in the vicinity must undergo the environmental/CEQA process, and appropriate mitigation would be applied to protect and/or record potential cultural resources found during project development. With implementation of mitigation measures referenced

above, the Project's contribution to potentially significant cumulative project impacts would be reduced to less-than-significant levels.

5. **Reference**

For a complete discussion of Project cumulative impacts on cultural resources, please see Section 5.6 of the Draft EIR.

F. Cumulative Impacts on Public Services-Fire Protection

1. **Description of Significant Effects**

Development and occupancy of the Project in combination with the related projects listed in Section 4.0 would have cumulative adverse impacts on LACFD facilities, equipment, and manpower. Each additional development creates greater demands on existing resources, which would increase the significant cumulative impact this project would have on LACFD services. Also, the number of wildfires in the Santa Monica Mountains has risen with increased development and human activities within the mountains and canyons. Therefore, it can be expected that the cumulative effect of additional development in this area could further increase the occurrence of wildfires. The Project could contribute to this cumulative effect.

2. **Mitigation Measures**

See MMRP MM5.9.1-1 – MM5.9.1-8 for applicable mitigation measures.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on public services and fire protection, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

Each related project would be appraised by the reviewing agencies responsible for evaluating project consistency with applicable land use plans. Each project would also subsequently be required to mitigate its individual impacts on fire protection services. Provided all applicable codes, and policies were followed, and required project specific mitigation is carried out, cumulative impacts upon fire services would be reduced to less than significant levels. (*See mitigation measures referenced above.*)

This wildfire effect would be mitigated to less than significant levels by project-specific mitigation measures including increased fire safety awareness programs and implementation of fire prevention measures such as brush clearance. (*See mitigation measures referenced above.*)

5. **Reference**

For a complete discussion of Project cumulative impacts on public services and fire protection, please see Section 5.9 of the Draft EIR.

G. Cumulative Impacts on Public Services-Police Protection

1. **Description of Significant Effects**

Implementation of the Project and the related projects listed in Draft EIR Table 4.1²⁷ would increase the existing number of resident students, and any associated increase in the number of employees within the service area of the Lost Hills/Malibu Sheriff's Station. Sheriff services and staffing is determined by minimum state standards and the amount each contracting city is willing to pay. Malibu currently meets the minimum staffing levels. The CLP population increase, along with the population increase that would occur as a result of the related projects, would augment the existing demand for law enforcement and protection services provided by the LACSD, which could affect existing response times and overall levels of service. The LACSD is also concerned with the cumulative traffic levels on roadways in the Malibu area, and the degree to which the future traffic growth would affect existing traffic enforcement efforts. As mentioned above, one of the goals of the CLP is to decrease the need for students to commute. Nevertheless, the addition of up to 468 beds and a projected increase in 48.3 full time equivalent (FTE) employees and 15 contract staff on campus is considered a cumulatively considerable impact on LACSD services. Therefore, cumulative impacts to the LACSD are considered to be potentially significant, particularly if the various jurisdictions within the service area of the Lost Hills/Malibu Station do not hire additional deputies commensurate with cumulative growth.

2. **Mitigation Measures**

See MMRP MM5.9.2-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on public services and police protection, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

It is the policy of the University's Department of Public Safety to add one new public safety officer per 35,000 square feet of new non-residential development. Based on the 243,445 square feet of non-residential development proposed under the CLP, approximately seven additional public safety officers will be required. By requiring staffing increases implemented

²⁷ The City of Malibu provided an updated list of related project in their January 2011 comment letter on the Draft EIR. The changes to the cumulative project list that would result from incorporation of the January 2011 list fall into 3 categories: 1) Completed Projects, 2) Withdrawn Projects, and 3) New Projects. No new significant impacts would occur as a result of recent changes to the list. See Response to Comments: MBU-62.

based on the formula described above, the EIR mitigation measure referenced above render potentially significant cumulative impacts to police protection services less than significant as a result of the CLP.

5. **Reference**

For a complete discussion of Project cumulative impacts on public services and police protection, please see Section 5.9 of the Draft EIR.

H. Cumulative Impacts on Public Utilities-Solid Waste

1. **Description of Significant Effects**

Construction and operation of the Project and the related projects listed in section 4.0 would result in the generation of additional solid waste to be disposed of at county landfills. The project itself with mitigation incorporated would contribute approximately 250 tons of waste per year into the foreseeable future, and in combination with related projects and regional growth, would consume permitted capacity of landfills over the life of the project. Countywide, if waste generation remained steady annually at the 2008 disposal rate of 7.9 million tons sent to county class iii landfills, there would be approximately 20 years remaining of permitted landfill capacity (154.39 million tons).

2. **Mitigation Measures**

See MMRP MM5.10.3-1 for the applicable mitigation measure.

3. **Finding**

Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially reduce the significant environmental effects of Project operation relative to cumulative impacts on solid waste, as identified in the Draft EIR, to less than significant levels.

4. **Facts Supporting and Rationale for Finding**

The annual cumulative waste generation, including the CLP and the related projects, would be 834.6 tons, of which the CLP represents 29.6 percent. The county plans to divert 70 percent by the year 2020, and there would likely be permitted landfill capacity expansions in the future that would provide adequate capacity to accept the cumulative waste generation. Although the Project and the related projects would not produce an amount of solid waste that exceeds available landfill capacity now, they would contribute to a cumulatively considerable impact on solid waste disposal capacity caused in combination with regional growth. The project would contribute to a significant cumulative impact on landfill capacity; however, with incorporation of mitigation requiring the project be incorporated into the existing university recycling program, the project contribution would not be cumulatively considerable. This impact is considered to be potentially significant but mitigable to less than significant levels. (*See* mitigation measure referenced above.)

5. Reference

For a complete discussion of Project cumulative impacts on solid waste, please see Section 5.10 of the Draft EIR.

XIII. ALTERNATIVES

A. Pepperdine University's CLP Objectives

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. To facilitate this comparison, the objectives of the Project contained in the Executive Summary of the Final EIR and Section V of these Findings are re-stated below.

1. Project Objectives

The Project aims to improve Pepperdine University's facilities to accommodate the evolving needs of the University's academic, administrative, and student-support programs, to enhance the educational experience for students, and to improve facilities and programs for students, faculty, and staff, all within the existing enrollment limits currently in place. Specifically, the following list provides a synopsis of the objectives and goals of the Project:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.

- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to alleviate the overcrowded conditions at the existing recreational fields to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Provide needed outdoor recreational fields within areas of the existing developed campus.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.
- Foster support of sustainability concepts through student educational programs and continued efforts to improve resource conservation to minimize the University's impact on the land through improvements in the design of campus facilities and the use of the campus' developed space.
- Minimize potential off-site impacts by balancing appropriate soils on-site within existing developed areas to the extent feasible.

B. Project Alternatives

The identification and analysis of alternatives is a fundamental concept under CEQA. The role of alternatives in an EIR is clearly set forth within the CEQA Statute, California Public Resources Code, Section 21000, et seq. Specifically, Public Resources Code Section 21002.1 (a) states that:

“The purpose of an environmental impact report is to identify the significant effects of a project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.”

CEQA Guidelines section 15126.6 provides further guidance on the formulation and analysis of alternatives in an EIR. This Section states, “An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

In addition to the Project, the Draft EIR evaluated a reasonable range of four alternatives to the Project. These alternatives are:

- Alternative 1: No Project – The Project would not be implemented and the proposed component sites would remain unchanged.
- Alternative 2: Offsite Relocation of the Athletics/Events Center
- Alternative 3: Offsite Relocation of Student Housing
- Alternative 4: No Amendment to Long Range Development Plan

These alternatives and their impacts, which are summarized below, are more fully described in Chapter 6 of the Draft EIR (Chapter 6 of the Draft EIR, also, pursuant to CEQA Guidelines Section 15126.6(c), identifies the alternatives considered but rejected as infeasible during the scoping process).

1. **Alternative 1: No Project – The Project would not be implemented and the proposed component sites would remain unchanged.**

Under CEQA, an EIR must include an analysis of a “No Project” Alternative, which discusses the existing conditions at the time the notice of preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved. (CEQA Guidelines section 15126.6(e)(2)).

a. Description

The analysis of No Project Alternative assumes the continuation of existing conditions, therefore, the existing uses of the Project sites would remain the same. No additional on-campus student residents or staff would be added to the campus under this alternative. The campus would continue to have a residential population of approximately 2,275 students, faculty, and staff, while the employee count would generally remain at 1,561 (1,222 FTE). 50,051 square feet of existing structures and 1,120 existing parking spaces would not be removed. However, other off-site development in the project area would continue (i.e. other Pepperdine University Campus projects, and other projects in the Malibu area).

b. Impact Summary

Alternative 1 would result in the fewest number of environmental impacts compared to the Project and remaining alternatives. However, it would not meet any of the objectives of the CLP or the approved long-term campus plan. For example, Alternative 1 would hinder the

continued enhancement of quality of campus life. Campus life would not improve upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment. Alternative 1 also does not fulfill the University's strategic student housing plan that aims to provide housing on the Malibu Campus for seventy five percent of the Seaver College student body, thereby helping to decrease the daily commute for most undergraduate students.

c. Findings

With this Alternative, the new environmental impacts projected to occur from development of the Project would be avoided or reduced. Therefore, this Alternative would be an environmentally superior alternative to the Project. However, this Alternative does not meet the objectives of the Project. It is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations identified in Section XVI of these Findings (Statement of Overriding Considerations), make infeasible Alternative 1: No Project described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 1 would not meet the University's objective to plan and implement a phased development that provides for the most effective use, operation, and maintenance of the University's Malibu campus. Under Alternative 1, the University would not be able to improve the campus life experience by providing additional classroom, residential, athletic, and recreational opportunities, as well as adequate parking, support, and operations facilities. Alternative 1 would also be inconsistent with the University's current and future growth needs, as identified in its DPZ and LRDP/SPD. As such, there would be fewer classroom, residential, athletic, and recreational opportunities for existing and future students at the Malibu campus than what has been previously approved by the County and Coastal Commission.

Finally, Alternative 1 would hinder Pepperdine University's objective to attract financial support, endowments, and capital and operating funds necessary to allow the University to serve young people independent of governmental support and funding. Similarly, without the upgrades proposed as part of the CLP, the University's student recruitment efforts would likely be significantly hindered.

e. Reference

For a complete discussion of impacts associated with Alternative 1, please see Section 6 of the Draft EIR.

2. Alternative 2: Offsite Relocation of the Athletics/Events Center

The CEQA Guidelines state that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and evaluate the comparative merits of the alternatives." (CEQA Guidelines, Section 15126.6(a), Project alternatives typically fall into one of two categories: on-site alternatives, which generally consist of different uses of the land under consideration; and off-site alternatives, which usually involve similar uses at different locations.

a. Description

Under Alternative 2 the Athletic/Events Center would not be constructed on campus. All other components of the CLP would remain unchanged. Under this alternative, the AEC would be developed on a portion of a 9.4-acre vacant parcel adjacent to municipal buildings on relatively level terrain in the Malibu Civic Center that would be accessed from Civic Center Way. The alternative site is situated at the base of foothill and mountainous slopes adjacent to residential development to the north. Due to the presence of steep slopes on the northern portion of the parcel, development would largely be limited to a 4.8-acre portion of it that gently slopes to nearly level terrain. The parcel is located within the Malibu Civic Center Area north of the library and court building. Like the Project, Alternative 2 would construct a 5,000-seat venue to host athletic competitions. During special events, approximately 470 additional folding chairs may be temporarily placed on the event floor raising the seating capacity to 5,470. However, unlike the Project, which only requires construction of a parking structure featuring 831 spaces due to available parking located elsewhere on campus, Alternative 2 would require the construction of a parking structure with 1,824 parking spaces.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 2, please see Section 6 of the Draft EIR.

To summarize, Alternative 2 would have the same environmental impacts as the Project with respect to the following categories:

- Drainage – Construction
- Water Supply
- Lighting
- Fire Protection
- Police Protection
- Land Use Compatibility
- Solid Waste

Alternative 2 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Air Quality – Construction

Alternative 2 would have a greater environmental impact as to the Project with respect to the following categories:

- Geotechnical Hazards
- Biological Resources
- Drainage – Operation
- Paleontological Resources
- Noise – Operation
- Archaeological Resources

- Water Quality – Operation
- Air Quality – Operation
- Noise – Construction
- Traffic and Access – Average
- Wastewater
- Water Quality – Construction
- Greenhouse Gas Emissions
- Visual Resources
- Visual Character
- Traffic and Access – Large Event
- Land Use Consistency

Overall, Alternative 2 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Studio Alternative described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 2 does provide for the construction of improved athletic facilities, along with associated parking, which is in alignment with some of the project objectives. To an acceptable level, this alternative would meet the following project objectives:

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the

WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.

- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.

Alternative 2 does not meet the full range of CLP objectives on several key issues. Specifically, this alternative does not meet the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.

When compared to the proposed project, Alternative 2 does not meet the Project objectives and would result in greater impacts than the Project; thus the proposed Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 2, please see Section 6 of the Draft EIR.

3. **Alternative 3: Offsite Relocation of Student Housing**

a. Description

This alternative proposes the relocation of the student housing component from its proposed location on-site within the campus core to an offsite location within the Malibu Civic Center Specific Plan Area. As with Alternative 2, the site is a portion of a 9.4-acre vacant parcel adjacent to municipal buildings on relatively level terrain in the Malibu Civic Center that would be accessed from Civic Center Way. The site is situated at the base of foothill and mountainous slopes adjacent to residential development located to the north. Due to the presence of steep slopes on the northern portion of the parcel, development would largely be limited to a 4.8-acre portion that is relatively flat. Like the Project, Alternative 3 would include a residential facility providing 468 beds, and related amenities. However, unlike the Project, which can rely upon parking available at multiple locations on campus, Alternative 3 would require the construction of a 468-space parking structure. All other components of the CLP would remain unchanged, and no improvements to the existing student housing units at Standard or Outer Precinct would occur.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

To summarize, Alternative 3 would have the same environmental impacts as the Project with respect to the following categories:

- Drainage – Construction
- Visual Resources
- Visual Character
- Lighting
- Traffic and Access – Large Event
- Fire Protection
- Police Protection
- Land Use Compatibility
- Solid Waste
- Water Supply

Alternative 3 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Air Quality – Construction
- Noise – Construction

Alternative 3 would have a greater environmental impact as to the Project with respect to the following categories:

- Geotechnical Hazards
- Biological Resources

- Drainage – Operation
- Paleontological Resources
- Noise – Operation
- Archaeological Resources
- Water Quality – Operation
- Air Quality – Operation
- Traffic and Access – Average
- Wastewater
- Water Quality – Construction
- Greenhouse Gas Emissions
- Land Use Consistency

Overall, Alternative 3 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Studio Alternative described in the EIR.

d. Rationale for Findings

Alternative 3 meets certain project objectives as they pertain to the benefits of the campus as a whole, but does not meet the full range of CLP objectives on several key issues.

To an acceptable level, this alternative would meet the following project objectives:

- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.

- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University population.

Alternative 3 does not meet the full range of CLP objectives on several key issues. Specifically, this alternative does not meet the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Upgrade and enhance the aging Seaver Residence Hall buildings to improve the residential and educational environment on campus, aid in student recruitment, and encourage on-campus living.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.

When compared to the proposed project, Alternative 2 does not meet the Project objectives and would result in greater impacts than the Project; thus the Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

4. **Alternative 4: No Amendment to Long Range Development Plan**

a. Description

Under Alternative 4, rather than seek an amendment to the LRDP/SPD to allow the adjustments required to implement the CLP, the University would construct the facilities proposed to be used as part of the CLP exactly as approved in the University's long-range planning documents. Alternative 4 would include the build-out of the facilities discussed below. All facilities would be constructed in the previously approved locations. As with the Project, any LRDP/SPD facility, including unused square footage of a utilized facility that is not included in Alternative 4 would remain unchanged in the LRDP/SPD.

b. Impact Summary

For a complete discussion of impacts associated with Alternative 4, please see Section 6 of the Draft EIR.

To summarize, Alternative 4 would have the same environmental impacts as the Project with respect to the following categories:

- Geotechnical Hazards
- Drainage – Construction
- Water Quality – Construction
- Air Quality – Construction
- Noise – Operation
- Paleontological Resources
- Archaeological Resources
- Visual Resources
- Visual Character

Alternative 4 would have a lesser environmental impacts as to the Project with respect to the following categories:

- Biological Resources
- Lighting
- Water Supply
- Wastewater
- Greenhouse Gas Emissions

Alternative 4 would have a greater environmental impact as to the Project with respect to the following categories:

- Drainage – Operation
- Water Quality – Operation
- Air Quality – Construction
- Air Quality – Operation
- Noise – Construction

- Traffic and Access – Average
- Traffic and Access – Large Event
- Solid Waste
- Fire Protection
- Police Protection
- Land Use Compatibility

Overall, Alternative 4 would have a greater environmental impact than the Project.

c. Findings

With this Alternative, some of the new environmental impacts projected to occur from development of the Project would be avoided; however, others would be generated. Therefore, this Alternative would not be an environmentally superior alternative to the Project, and it is found pursuant to Public Resources Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the Alternative described in the EIR.

d. Facts Supporting and Rationale for Finding

Alternative 4 would enhance the education, athletic, and student life facilities within the existing core campus within the parameters of the University's approved long-term planning documents. Alternative 4 would also enhance the quality of campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment. The University's objective to improve additional residential, athletic, and recreational opportunities, as well as adequate parking, support, and operations facilities would be accommodated. Likewise, Alternative 4 would attract financial support, endowment, capital, and operating funds necessary to allow the University to serve young people independent of government support and funding.

However, Alternative 4 would be inconsistent with the University's objectives to construct athletic venues on par with other Division I, West Coast Conference schools, including an upgraded lighted NCAA soccer field, and the AEC. The alternative would not provide a lighted recreation field to address the recreational needs of the campus. Nor would the alternative create a central quad area that provides for community interaction in close proximity to existing learning facilities. The Seaver Residence Halls would not be rehabilitated.

Specifically, Alternative 4 is sufficiently consistent with the following project objectives:

- Enhance campus life by improving upon the safe, intellectually stimulating, culturally appealing, and socially supportive learning environment without increasing enrollment.
- Improve educational, athletic and student life facilities in the existing developed core campus consistent with the policies of the University's approved long-term planning documents.

- Enable the University to financially assist young students independent of government support and funding by improving campus life and campus facilities, thereby attracting increased financial support, endowments, capital, and operating funds.
- Provide a high quality academic, recreational, and environmental experience in the California Coastal Zone for young people from the United States and around the world.
- Foster a communal educational environment on campus and fulfill the University's strategic student housing plan by providing increased housing on the Malibu Campus, allowing the University to house seventy-five percent of the Seaver College student body on the Malibu Campus.
- Move more undergraduate students into campus housing to eliminate the commute for most students and reduce daily trips to and from the campus.
- Create a housing model that will raise the standard of campus housing to encourage non-freshman students to reside on campus.
- Encourage a larger segment of the campus population (including students, faculty, and staff) and the local community to attend the University's cultural and athletic events.
- Provide sufficient parking spaces in convenient locations to better accommodate students, faculty, and staff needs and facilitate an enhanced campus experience for the entire University

Alternative 4 is not consistent with the following project objectives:

- Provide for the most effective use, operation, and maintenance of the University's Malibu Campus by creating improved academic, residential, athletic, and recreational opportunities, and supplying adequate parking, support, and operations facilities.
- Provide an updated athletic/events center with adequate seating to create a collegial and unified location that meets demand for institutional athletics, intramural and intercollegiate athletics.
- Create athletic venues that are NCAA compliant and on par with other Division I, West Coast Conference (WCC) schools for soccer, volleyball, and basketball in a manner consistent with NCAA Division I caliber of competition.
- Construct a lighted soccer field that is NCAA compliant, meets NCAA Division I regional broadcast standards, is appropriate for competitive play by all schools in the WCC and Division I, and provides opportunities for practice schedules consistent with academic needs.
- Alleviate the overcrowded conditions at the existing athletic facilities and consolidate Athletics' offices, venues, and support facilities.
- Provide enhanced recreational facilities including lighted field to adequately accommodate the student body, and better meet the recreational and intramural needs of the broader campus community.
- Provide additional on-campus recreation options to encourage health and well being of students and general campus population.
- Create a central quad area that provides for community interaction in close proximity to existing learning facilities and incorporates natural landscaping for use by students, faculty, and staff for recreation, relaxation, meetings, and classes.

Based on the alternative analysis contained in the Draft EIR, it has been determined that of the remaining alternatives (excluding Alternative No. 1- No Project), Alternative 4 would result in the fewest number of significant adverse impacts. However, when compared to the Project, Alternative 4 would result in greater impacts than the proposed project; thus the Project has been chosen as the environmentally superior alternative.

e. Reference

For a complete discussion of impacts associated with Alternative 3, please see Section 6 of the Draft EIR.

C. Environmentally Superior Alternative

In addition to the discussion and comparison of impacts of a Project and the alternatives, CEQA Guidelines section 15126.6 requires that an “environmentally superior” alternative be selected and the reasons for such a selection disclosed. In general, the environmentally superior alternative is the alternative that would be expected to generate the least amount of adverse impacts.

A summary of the environmental impacts anticipated for the Project and each alternative is provided in Table below. In this case, the Alternative 1 (No Project) would result in the fewest significant adverse impacts and thus is considered the environmentally superior alternative. However, Section 15126.6(2) of the CEQA Guidelines states if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the alternative analysis provided above, it has been determined that of the remaining alternatives, Alternative 4 (No Amendment to LRDP) would result in the fewest number of significant adverse impacts. However, when compared to the Project, Alternative 4 would result in greater impacts than the Project; thus the Project has been chosen as the environmentally superior alternative.

Comparison of Alternatives - Summary of Environmental Impacts

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Event s Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
Geology and Soils					
Geotechnical Hazards	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Water Quality and Hydrology					
Drainage -Construction	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (same)
Drainage -Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (greater)
Water Quality -	LSAM	NI	LSAM (greater)	LSAM	LSAM (same)

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Events Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
Construction				(greater)	
Water Quality -Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (greater)
Biological Resources					
Biological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (reduced)
Air Quality					
Air Quality - Construction	LSAM	NI	LSAM (reduced)	LSAM (reduced)	SI (greater)
Air Quality - Operation	BI	NI	BI (greater)	LSAM (greater)	BI (greater)
Noise					
Noise - Construction	LSAM	NI	LSAM (greater)	LSAM (reduced)	SI (greater)
Noise - Operation	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Cultural Resources					
Paleontological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Archaeological Resources	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (same)
Visual Resources and Aesthetic Qualities					
Visual Resources	LTS	NI	SI (greater)	LTS (same)	LTS (same)
Visual Character	LSAM	NI	SI (greater)	LSAM (same)	LSAM (same)
Lighting	LSAM	NI	LTS (same)	LTS (same)	LSAM (reduced)
Traffic and Access					
Traffic and Access - Average	BI	NI	LTS (greater)	LTS (greater)	BI (greater)
Traffic and Access - Large Event	SI	NI	SI (greater)	SI (greater)	SI (greater)
Public Services					
Fire Protection	LSAM	NI	LSAM (same)	LSAM (same)	LTS (greater)
Police Protection	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)

	Proposed CLP	Alternative 1: No Project	Alternative 2: Offsite Relocation of the Athletics/Events Center	Alternative 3: Offsite Relocation of Student Housing	Alternative 4: No Amendment to Long Range Development Plan
Utilities					
Water Supply	LTS	NI	LTS (same)	LTS (same)	LTS (reduced)
Wastewater	LSAM	NI	LSAM (greater)	LSAM (greater)	LSAM (reduced)
Solid Waste	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)
Land Use					
Land Use Consistency	LTS	NI	SI (greater)	SI (greater)	LTS
Land Use Compatibility	LSAM	NI	LSAM (same)	LSAM (same)	LSAM (greater)
Climate Change					
Greenhouse Gas Emissions	LTS	NI	LTS (greater)	LTS (greater)	LTS (reduced)
NI – No Impact BI – Beneficial Impact LTS – Less Than Significant LSAM – Less Than Significant After Mitigation SI – Significant Impact					

XIV. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

A. Growth Inducing Impacts of the Project

Section 15126.2(d) of the CEQA Guidelines requires that the potential growth inducing impacts of a Project be evaluated by analyzing the following four considerations:

1. **Ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment:**

The Project has been conceptually approved and is considered within the densities of the University's DPZ and the LRDP/SPD. Further growth of the Pepperdine University Malibu campus is controlled by the University's DPZ and LRDP/SPD. Implementation of the Project would add 468 student beds and increase existing university staffing by 48.3 full-time equivalent (FTE) employees, without increasing student enrollment. Students that would reside on the Malibu campus under the Project and new staff that would be employed by the CLP already reside in the region. Therefore, implementation of the Project would not induce substantial direct population growth in the area.

Development of the Project would create indirect economic growth in the area during both the construction and operational phases. Short-term, construction-related job opportunities would result in secondary economic growth in order to staff construction crews. In the long-term, the increase of up to 468 on-campus, resident students and additional staffing as part of the CLP is likely to result in increased patronage of local retail and commercial shops, thereby generating additional economic revenue in the immediate project vicinity.

The University currently offers on campus shops and dining facilities. The proposed Student Housing and Rehabilitation component would provide additional support amenities such as café dining, open green space, common gathering spaces, multi-purpose classroom space, recreation lounges, game rooms, outdoor barbeque grills, a student convenience store, open seating space, and a quad area from which students would be able use in lieu of utilizing off campus amenities.

A primary objective of the CLP is to expand on campus housing for existing students without increasing the existing student enrollment. While the Project would also create new jobs on campus, these are expected to number only 48.3 FTE employees. As such, the Project would not directly or indirectly result in a substantial job/housing imbalance or substantially facilitate the construction of more housing in the project vicinity.

The Project and associated movement of students and employees (including construction workers) to the Malibu campus are therefore not expected to substantially indirectly induce population, economic, or housing growth in the area, as student enrollment would not increase and the proposed FTE employees would total only 48.3, and these individuals already reside and commute within the southern California region.

2. **Ways that the Project may remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant):**

The components of the Project would be located among and/or adjacent to already-built components of the University's Malibu campus. Both the Las Virgenes Municipal Water District ("LVMWD") and the Los Angeles County Department of Public Works ("LACDPW") already provide public utilities to the Malibu campus and the Project would not result in a significant amount of new infrastructure on the existing sites or the expansion of critical public facilities. Implementation of the Project would only result in a provision that includes minimal improvements to existing campus infrastructure, such as the requirement for a third pump to be added to the University's Wastewater Flow Equalization Station (WFES). All improvements would only serve Pepperdine University and the CLP sites. As such, the Project does not include the extension of existing public roads or the construction of new public roads. In addition, the Project would not require the installation of new water mains or water mains with increased capacity that could facilitate further growth within the vicinity of the project site. It is expected that existing sewage treatment/water reclamation plants, potable water facilities, and County landfills, as well as associated infrastructure, would be able to sufficiently accommodate the Project. No service/utility service connections would be provided to other off-site uses and the service/utility connections would be sized to serve only the proposed land uses on the project site. Therefore, implementation of the Project would not result in the removal of any impediments to growth in the area.

3. **How increases in the population from the Project may tax existing community serving facilities, requiring construction of new facilities that could cause significant environmental effects:**

The Project would not require the construction of new community facilities. Existing public facilities (landfills, wastewater conveyance and treatment, and water supply and conveyance) are adequate to serve the Project. Both the Los Angeles County Sheriffs' Department and Los Angeles County Fire Department indicate that it can serve the project without expanding their current service capacity. In addition, the University Department of Public Safety that is directly responsible for on-campus public safety, patrolling campus grounds, first response, and crowd control. As such, the Project would not significantly impact fire or police protection services. The University currently provides students with an athletic field, recreational facilities, and a library. The Project would offer students additional amenities (e.g. upgraded recreational and athletic activities), which would reduce the necessity for them to seek similar amenities off campus, thus reducing the project's demands on local parks and public recreational facilities.

4. **Attributes of the Project that may encourage and facilitate other activities that would significantly affect the environment, either individually or cumulatively:**

Implementation of the Project would require a variety of agency discretionary and ministerial actions, including the County's issuance of conditional use, and building permits, as well as consideration under the University's LRDP/SPD. However, these actions are not considered to be precedent setting, because they do not represent an innovation or an action that is uncommon to the County of Los Angeles or the California Coastal Commission. The Project has long been a component of the University's conceptually approved LRDP/SPD. Approval of the Project is not anticipated to set a precedent that would cause the County or the Coastal Commission to approve similar proposals in the future. All environmental impacts (i.e. transportation, noise, etc.) that may potentially result in indirect growth would be reduced to less than significant levels with implementation of the mitigation measures identified herein.

Although the Project would potentially result in the creation of incremental economic growth in the immediate project vicinity, the CLP is contained within the University confines and would not increase existing student enrollment, while only increasing staffing by 48.3 FTE employees. As such, the CLP is not anticipated to have a widespread growth inducing impact. Therefore, project-specific impacts and the project's contribution to potential cumulative impacts relating to growth inducement would be less than significant.

B. Significant Irreversible Environmental Changes

CEQA Guidelines section 15126.2(c) states:

"Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future

generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

Development of the Project would result in the incremental use and depletion of renewable and non-renewable resources during construction and operation. Construction would require the consumption of natural resources as well as renewable and non-renewable materials, including building materials (e.g., wood and metal) and fossil fuels (e.g., gasoline, diesel fuel, and natural gas). Once operational, the project would require the consumption of natural resources as well as renewable and non-renewable materials such as electricity, natural gas, potable water, and fossil fuels for building systems, such as heating, air conditioning, and lighting. To a degree, these resources are readily available, and are expected to remain available in the foreseeable future. Nevertheless, all non-renewable resources are finite in supply, given the length of time required by the natural process to create them. The University currently utilizes reclaimed water for landscaping purposes and employs successful construction and operational recycling programs that divert a substantial amount of solid waste from County landfills. In addition, the Project would be obliged to comply with all applicable County ordinances requiring green building, and drought-tolerant landscaping standards. As such, given the project’s commitment to energy efficiency, the commitment of these resources to construct and operate is not considered significant. Nevertheless, mitigation measures have been included in this EIR to reduce and minimize project-specific and cumulative impacts to less than significant levels.

Irreversible long-term environmental changes associated with the Project would include an increase in stationary and event-related noise levels, although not at significant levels. The Project would also result in an increase of greenhouse gas emissions. Design features have been incorporated into the development and mitigation measures are proposed in this EIR that would minimize the effects of the environmental changes including increases in greenhouse gas emissions associated with the development of the project to less than significant levels. As previously mentioned, while the CLP would increase residential housing by 468 beds, the Project would not change current student enrollment at the University. Consequently, the Project would eliminate the daily commutes for 468 students; thereby, resulting in a decrease of 744 average daily trips and associated trip-related air quality emissions and noise levels. The proposed AEC would increase the capacity for large events by 1,896 seats when compared to the Firestone Fieldhouse. Furthermore, the proposed AEC would relocate games and events, as well as its’ associated parking, to an interior campus location farther away from adjacent neighbors. The University would continue to employ a Event Management Plan for the AEC in order to minimize congestion and provide a level of safety for motorists and pedestrians before and after large events. The Project would be located in a site that is currently institutionally designated, and the implementation of the project would enhance the campus environment. Implementation of the Project would not result in any significant and unavoidable impacts with the exception of Major Event traffic impacts from major events exceeding 3,750 attendees and starting or ending at peak morning or evening hours on weekdays and drawing 60% of attendees from off-campus.

The limited use of potentially hazardous materials contained in typical cleaning agents and pesticides for landscaping would continue to occur on the campus during and following Project buildout. Such materials would be used, handled, stored, and disposed of in accordance

with applicable government regulations and standards, which would serve to protect against a significant and irreversible change resulting from accidental release of hazardous materials.

The project proposes no uniquely hazardous uses, and its operation would not be expected to cause environmental accidents that would affect other areas. The project site is located within a seismically active region and would be exposed to ground shaking during a seismic event. However, conformance with the regulatory provisions of the Los Angeles County Code pertaining to construction standards would minimize, to the extent feasible, damage and injuries in the event of such an occurrence.

XV. OTHER CEQA CONSIDERATIONS

1. Los Angeles County (the “County”), acting through the Department of Regional Planning, is the “Lead Agency” for the Project evaluated in the EIR. The County finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The County finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the County.
2. The County finds that the EIR provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.
3. The Department of Regional Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of Regional Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of Regional Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received during the Draft EIR comment period and late comments received as indicated in the FEIR, concerning the environmental impacts identified and analyzed in the EIR.
4. The EIR evaluated the following potential Project and cumulative environmental impacts in the following categories:

Geology and Soils
Water Quality
Biological Resources
Air Quality
Noise
Cultural Resources
Visual Resources and Aesthetic Qualities
Traffic and Access
Public Services
Public Utilities
Land Use
Global Climate Change

Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes, Growth Inducing Impacts and potential secondary effects of the Project. The significant environmental impacts of the Project were identified in the Final EIR. The significant environmental impacts of the Project and the alternatives were also identified in the Draft and Final EIR.

5. The mitigation measures which have been identified for the Project were identified in the Draft and Final EIR. The final mitigation measures are described in the Mitigation Monitoring and Reporting Program (“MMRP”) (attached hereto). Each of the mitigation measures identified in the MMRP, and contained in the Final EIR, is incorporated into the Project. The County finds that the impacts of the Project have been mitigated to the extent feasible by the mitigation measures identified in the MMRP, and contained in the Final EIR.
6. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The Department of Regional Planning staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with the Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.
7. The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.
8. Having reviewed the information contained in the EIR and in the administrative record as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the County finds that there is no new significant information in the Final EIR and finds that recirculation of the Draft EIR is not required.

9. CEQA requires the Lead Agency approving a Project to adopt an MMRP for the changes to the Project which it has adopted or made a condition of Project approval in order to ensure compliance with the mitigation measures during Project implementation. The mitigation measures included in the EIR as certified by the County and included in the MMRP as adopted by the County serves that function. The MMRP includes all of the mitigation measures identified in the EIR and adopted by the County in connection with the approval of the Project and has been designed to ensure compliance with such measures during implementation of the Project. In accordance with CEQA, the MMRP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code §21081.6, the County hereby adopts the MMRP.
10. In accordance with the requirements of Public Resources Code §21081.6, the County hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
11. The custodian of the documents or other material which constitute the record of proceedings upon which the County's decision is based is the Los Angeles County Department of Regional Planning, Special Projects Section, Room 1362, 320 West Temple Street, Los Angeles, CA 90012.
12. The County finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
13. The County is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the County is the Lead Agency for the Project, the EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the Project.
14. The EIR is a Project EIR for purposes of environmental analysis of the Project. A Project EIR examines the environmental effects of a specific Project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the County of Los Angeles and the other regulatory jurisdictions.

XVI. STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR has identified an unavoidable significant impact that would result from implementation of the Project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when the decision of the public agency allows the occurrence of significant impacts that are identified in the EIR but are not at least

substantially mitigated, the agency must state in writing the reasons to support its action based on the completed EIR and/or other information in the record. State CEQA Guidelines require, pursuant to CEQA Guidelines section 15093(b), that the decision maker adopt a Statement of Overriding Considerations at the time of approval of a Project if it finds that significant adverse environmental effects have been identified in the EIR which cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the EIR, the reference library to the EIR, and documents and materials that constitute the record of proceedings.

The following impact is not mitigated to a less than significant level for the Project, as identified in the EIR: Traffic and Access (Large Event in excess of 3,750 attendees starting or ending at weekday morning (7:00-9:00 a.m.) or evening (4:00-6:00 p.m.) peak hours that draws 60% of attendees from off-campus). The required Transportation Demand Management Plan will mitigate these impacts to the extent feasible, but it is conservatively assumed that it is not feasible to mitigate the impact to a less than significant level for all events.

Accordingly, the Commission adopts the following Statement of Overriding Considerations. The Commission recognizes that a significant and unavoidable impact would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the Commission hereby finds that the benefits outweigh and override the significant unavoidable impacts for the reasons stated below.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide, in addition to the above findings, the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed Final EIR. Many of these overriding considerations individually would be sufficient to outweigh the adverse environmental impacts of the Project and justify adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. Implementation of the Project will maintain and enhance the social and economic vitality of the community by providing improved university services and job opportunities associated with the Project.
2. Preliminary General Economic Impact and Tax Revenue Estimates prepared by HR&A Advisors determined that "total economic output impacts from construction of the CLP within the County economy total approximately \$431.2 million, including approximately \$243.7 million in hard construction costs." "Total employment impacts from the Construction of the CLP within the County economy total 2,217 jobs, of which 1,734 are construction jobs which will be located directly on site." (emphasis omitted). The CLP is expected to generate approximately

\$467,231 in construction sales tax revenue to Los Angeles County over the life of construction.

3. The Project will ensure the future vitality of Pepperdine by enhancing its residential facilities, athletic facilities and open space areas, in order to accommodate the evolving needs of current and prospective students, faculty and staff, all within the existing enrollment limits currently in place for Pepperdine.
4. The Project will implement much-needed improvements within the limits of the existing developed campus core, without any modification of the surrounding areas of protected open space.
5. The Project will decrease daily traffic trips to and from campus by 744 trips by increasing the number of undergraduate FTE students living on-campus.
6. The Project will allow the University to achieve its strategic goal of housing 75% of all undergraduate FTE students on-campus.
7. Implementation of the Project will provide new housing units to help meet the market demand for on-campus housing and ensure the maximum number of students have opportunities to experience and contribute to Pepperdine's social living and learning environment, student and faculty interaction, and full participation in campus life and community outreach activities, in order to create a updated cohesive campus community.
8. Development of the Project in an established developed area served by existing infrastructure would minimize the need for the development of new infrastructure and make more efficient use of Pepperdine's existing facilities.
9. Implementation of the Project will promote energy and water conservation, by replacing older buildings with more energy and water efficient buildings, all of which will be designed to meet either LEED Silver (or equivalent) or LEED Certified (or equivalent) standards.
10. The Project will continue the University's many sustainable practices, including using reclaimed water for 99% of campus landscape irrigation, operating an irrigation monitoring program to conserve water and reduce runoff, implementing recycling programs to divert solid waste, installing water saving fixtures such as dual flush toilets, and landscaping with drought tolerant species.
11. The Project will incorporate many sustainable building practices including high-efficiency fluorescent lighting, recycled carpet tiles, minimized grading techniques, energy management systems, chiller water cooling, hydronic gas heating systems, solar reflective film, optimal solar

orientation, natural ventilation, low-VOC building materials, LED lights, and a project construction diversion rate of at least 70%.

12. The Project will provide the University with a state-of-the-art athletics and events venue that is on par with other schools in the West Coast Conference, thereby increasing the potential for future success in student athlete recruiting and retention efforts, along with improved spectator experience.

XVII. MITIGATION MONITORING AND REPORTING PROGRAM

A. Introduction

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for changes to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” In addition, Section 15097(a) of the CEQA Guidelines requires that:

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The Los Angeles County Department of Regional Planning has been designated as the Lead Agency for the CLP.

A Draft EIR was prepared to address the potential environmental impacts of the Project. Where appropriate, the Draft EIR identified recommended mitigation measures to avoid or to mitigate potential impacts to the environment to a level that would be less than significant. This Mitigation Monitoring and Reporting Program (“MMRP”) is designed to monitor implementation of the project design features and mitigation measures required for the Project.

The project design features and mitigation measures identified in the Draft EIR are categorized by environmental impact section. Following each project design feature and mitigation measure is identification of the following:

- **Enforcement Agency:** The agency with the power to enforce the project design feature and mitigation measure.
- **Monitoring Agency:** The agency to which reports involving feasibility, compliance, implementation and development are made.
- **Monitoring Phase:** The phase of the project during which the project design feature and mitigation measure shall be monitored, such as: Pre-Construction, including the

design phase; Construction; Prior to Issuance of a Building Permit; Prior to Issuance of a Certificate of Occupancy; Occupancy (post-construction).

- **Monitoring Frequency:** The frequency with which the project design feature and mitigation measure is to be implemented (i.e., once at a specific point during Pre-Construction, Construction, etc.) or ongoing throughout a phase of the Project.
- **Action Indicating Compliance with Mitigation Measure(s):** The performance standard indicating that compliance with the project design feature and mitigation measure has been satisfactorily achieved.

The MMRP for the Project will be in place throughout all phases of the Project. The Project applicant will be responsible for implementing all mitigation measures unless otherwise noted. The applicant shall also be obligated to provide certification, as identified below, to the appropriate monitoring agency and the appropriate enforcement agency that compliance with the required mitigation measure has been implemented. The County's existing planning, engineering, review, and inspection processes will be used as the basic foundation for the MMRP procedures and will also serve to provide the documentation for the reporting program.

The substance and timing of each certification report that is submitted to Department of Regional Planning shall be at the discretion of Regional Planning. Generally, each report will be submitted to Department of Regional Planning in a timely manner following completion/implementation of the applicable mitigation measure and shall include sufficient information to reasonably determine whether the intent of the measure has been satisfied. The Department of Regional Planning, in conjunction with the Project applicant, shall assure that Project construction occurs in accordance with the MMRP.